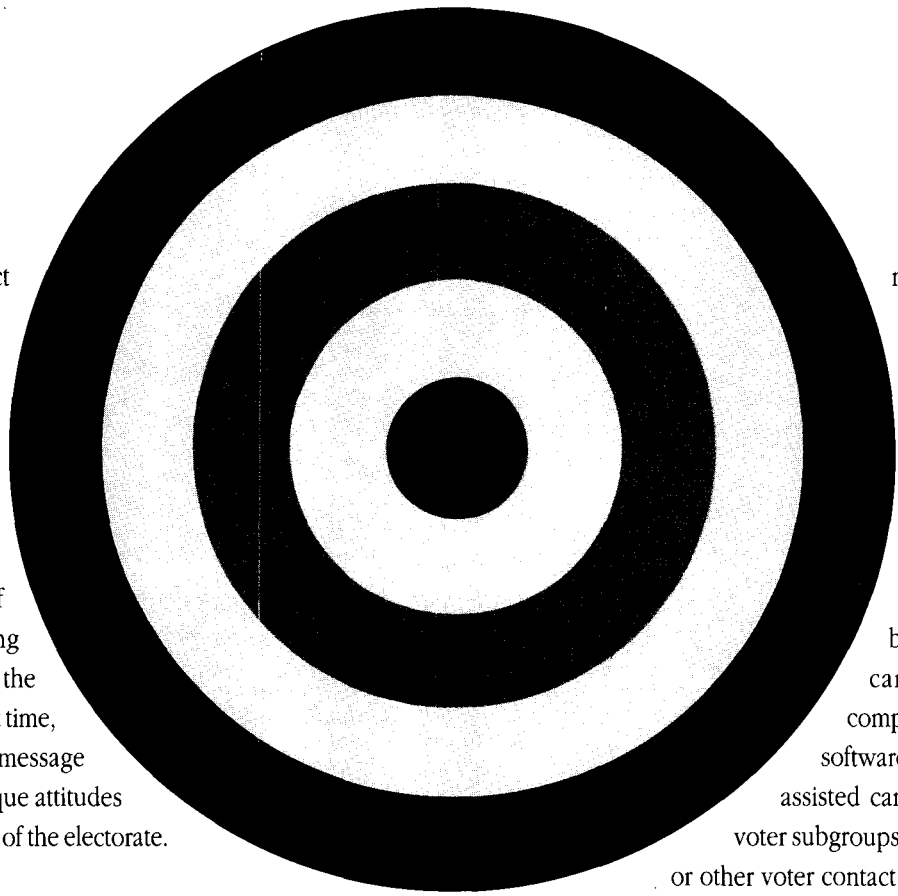
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

TARGETED DIRECT MAIL WINS ELECTIONS



Political Direct Mail must be on target — in order to be effective. When mail misses the mark — dollars are wasted, elections are lost. There are two kinds of targeting 1) ensuring that mail is sent to the right voters at the right time, and 2) tailoring the message to respond to the unique attitudes of different subgroups of the electorate.

most sophisticated political computer software and product line anywhere. Below, Tobe & Associates provides full-service political direct mail from laser letters, to printed brochures, to slate cards. State-of-the-art computers and cutting edge software enable Below, Tobe–assisted campaigns to target key voter subgroups for walking, phoning, or other voter contact programs.

Below, Tobe & Associates has pioneered targeted direct mail programs in election after election across America. Since 1971, working with consultants, agencies, campaigns and candidates, Below, Tobe & Associates has been refining the

Founded in 1971 to apply computer technology to winning elections, Below, Tobe & Associates has become America's leading political computer products company.

Below, Tobe & Associates, Inc.
America's Leading Political Computer Products Company

Washington D.C. - Bob Blaemire 7801 Norfolk Avenue, Bethesda, MD 20814, 301-656-4966 ■ Los Angeles, CA - Frank Tobe 4745 Alla Road, Marina del Rey, CA 90292, 213-306-1989

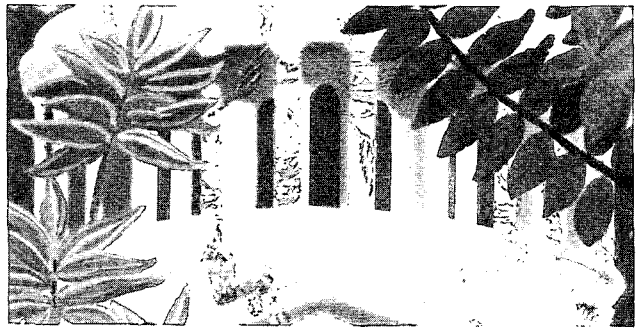
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

APRIL 1990
VOLUME XXI, NUMBER 4

California JOURNAL

June Ballot Book

California Journal's review of the 17 propositions included on the June 1990 primary election ballot, including background information, a summary of each proposal and arguments for and against each measure.



The ethics jungle 174
The public thinks that government is mostly corrupt, but politics and ethics exist side-by-side in a universe where moral judgments are clouded by money, ego, ambition and desire. By A.G. Block

The race for governor 181
The Democratic candidate for governor will emerge from an expensive and grueling primary just in time to face a well-rested and money-laden Pete Wilson. By Richard Zeiger

The gas-tax gamble 185
The state is out of money to build new highways, or even repair old ones. Can Proposition 111 get California back on the road? By Steve Geissinger

CalTrans calamity 203
The state's master builders have fallen on hard times. By Greg Lucas

The Gann legacy 211
Who speaks for the ghost of Paul Gann? Two groups think that's a question worth fighting over. By Max Macauley

Physician, heal thyself 215
Why do some qualified doctors have trouble getting a license to practice in California, while other doctors continue to practice despite their incompetence? By Teresa Simons

Up Front 172
Ballot Front 218
Washington Perspective 220

Cover painting by Debra Hardesty

President and Publisher, Thomas R. Hoeber; **Editor,** Richard Zeiger; **Managing Editor,** A.G. Block; **Business Manager,** Barbara Rocco; **Production Coordinator,** Roberta-Anne Kaminski; **Staff,** Ellen Chapman, Marnie Fesmire, Dori Meyers, Theresa Nelson, Renee Ravizza, Hope Tuttle, Susan Uher; **Counsel,** Conrad Lee Klein.

Advertising Representative: Media Marketing, (916) 452-3242

Member The Audit Bureau

CALIFORNIA JOURNAL is a non-partisan, non-ideological analysis of California government and politics established in 1970. The *Journal* is indexed in Public Affairs Information Service, New York Times Information Bank, Sage Urban Studies Abstracts, Urban Affairs Abstracts, and California Periodicals Index. *California Journal* (ISSN 00081205) is published monthly. Subscription rates: Libraries and Government Agencies, $49; Corporations and Associations, $95; Special Individual rate, $32.00. Address all inquiries to California Journal, 1714 Capitol Ave., Sacramento, California 95814. Telephone (916) 444-2840. Copyright 1990 by California Journal, Inc. Second class postage paid at Sacramento. POSTMASTER: Send address changes to CALIFORNIA JOURNAL, 1714 Capitol Ave., Sacramento, CA 95814

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

UP FRONT

Bev Hansen, she of the Republican Party and the state Assembly, had an unusual request for help from a constituent. Seems Amanita Gardner wants to run for public office as a Peace and Freedom Party candidate. But Gardner is only 17 years old, and California law requires that anyone who wants to run for office must be able to vote when nomination papers are issued. Gardner won't be 18 until May 2nd, nearly two months after the filing deadline but well before the election.

Would Hansen intervene?

A sympathetic Hansen defended Gardner's right to run, said the law was unfair and turned her staff loose on the problem. But despite Hansen's help, Secretary of State March Fong Eu issued a ruling March 9th that Gardner fails to qualify for the ballot because of her age. Gardner, a Santa Rosa high school student who lists her occupation as "belly dancer," may take Eu to court with the help of the Peace and Freedom Party.

By the way, the office Gardner plans to seek?

Hansen's.

Samuel Gove, director emeritus of the Institute of Government and Public Affairs at the University of Illinois, took exception to a piece in our 20th anniversary issue this past January. Seems *Journal* publisher Tom Hoeber wrote, "Who among us would prefer to live in New York or Illinois or Nevada?"

Responds Gove: "That is not a nice thing to say about Illinois. But on the other hand, as I dictate this, we are in the middle of an ice storm. Our power has been down for 24 hours and the prospects of it starting up again don't look good. I hope our paths cross before too long."

Lead-boot department. Charles Keating and his Lincoln Savings and Loan have become like a pair of lead boots for Democratic Senator Alan Cranston. Ever since the public became aware of Cranston's role in helping get federal regulators off Keating's back, Cranston's standing in the polls has plummeted. Perhaps the devastating polls could be turned around if voters only knew "the facts" from his side, Cranston reasoned. So, he laid out his side at some length at a recent meeting of the California Newspaper Publishers Association in Coronado.

After his speech, Cranston said, he asked about 30 persons in the room what they would have done in a similar situation. About 80 percent, he said, came down on his side.

A few days later, Cranston breakfasted with a group of reporters in Los Angeles. After being grilled for nearly an hour on the Keating affair, one reporter suggested that anyone in the room could design a devastating anti-Cranston campaign commercial, with television clips of "little old ladies" testifying before Congress about how Cranston had let them down and cost them their savings. How would the senator deal with them?

Ever undaunted, Cranston said he has some crafty commercial designers of his own. "There are imaginative people who know how to deal with facts, know how to separate fact from fiction."

The senator didn't say which he planned to use in his commercials.

(Richard Bergholz, Los Angeles)

Cartoon by Steve Greenberg

FROM SEA TO SHINING SEA TO SHINING SEA

Hey, just a typo. The state attorney general currently is embroiled in a heavyweight slugging match with former San Francisco Mayor Dianne Feinsten for the Democratic nomination for governor (see page 181). But he is also embroiled in a cat fight of sorts with legislative leaders from his own party, thanks to some unkind words about "draining the swamp in Sacramento" and an ethics initiative he sponsored which could limit members of the Legislature to two terms. But when it came time for those same lawmakers to sponsor a Democratic Leadership Dinner, they couldn't very well leave the attorney general's name off the list of honorary sponsors. After all, they listed all the other Democratic constitutional officers. But was there a message in the attorney general's listing? He was referred to as "Hon. John Ban de Kamp."

Lying sometimes serves a useful purpose, especially on the floor of the state Assembly when members are tardy and there is no quorum to take up the day's business. Speaker pro Tempore Mike Roos usually has the unenviable task of rounding up that quorum. His latest tactic? Calling for a vote on a bill that doesn't exist. Gets a quorum every time. Lawmakers, who have heard the call over their squawkboxes, sprint from their offices to the floor in a mad scramble to push those red or green buttons. Roos' favorite fake bill is "AB 414" by Republican Richard Mountjoy, dealing with aviation. There is, of course, no "AB 414" but no one seems to notice, including Mountjoy.

Roll Call, a twice-weekly insider's newspaper that circulates on Capitol Hill in Washington, recently conducted a fax poll among congressional staffers to determine the 20 smartest members of Congress. "Smart," wrote *Roll Call,* means "raw brainpower: the ability to digest, process, and use information quickly, and without much help from staff." One Californian made the top 10:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Republican Tom Campbell, the first-term House member from Palo Alto. Campbell was the only freshman listed in the top 10. Two more Californians were listed in the second 10: Democrats Tony Beilenson and Henry Waxman, House members from Los Angeles.

Eight years after the fact, Assemblyman Lloyd Connelly finally confessed that he once shredded a campaign brochure. His own campaign brochure.

Seems that back in 1982 Connelly's campaign manager, Richie Ross, printed a brochure that accused Connelly's opponent, Republican Bill Green of Carmichael, of being a tool of the oil industry. Green's campaign had been funded in large part by the Assembly Republican caucus, which had received money from oil companies. But Connelly didn't feel that connection made Green a tool of anything.

"I didn't want [the brochure] to go out," Connelly said recently. "So, we rented a couple of trucks in the middle of the night and we seized the entire brochure and we sold it for recycling. Richie never knew. We got, like, $273; it probably cost him $5000 to print. We recycled the whole thing."

Governor George Deukmejian will be missing the press-Legislature golf tournament this year, although in the past he has been a regular participant. The reason: The event is scheduled for April 2nd. For those of you who don't remember, the next day, April 3rd, is the day that murderer Robert Alton Harris is scheduled to die in the gas chamber at San Quentin.

"Politicians act as though they thought the will of the public is a document bequeathing them something."

— John W. Raper

Come across a blurb lately that's nosy, newsy or smart-alecky about California government, politics or politicians? Share it with the Journal. *We pay up to $25 for entertaining tidbits published in "Up Front." So, rush your items to Up Front, 1714 Capitol Avenue, Sacramento, CA 95814. Sorry, submissions cannot be returned.*

COMMITTED TO CALIFORNIA

For a free demonstration call or write:

1029 J Street, Suite 450 • Sacramento, CA 95814 • (916) 447-1886

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE ETHICS JUNGLE

Making moral judgments in a practical world

By A.G. Block

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Ethics: the discipline of dealing with what is good and bad and with moral duty and obligation; a set of moral principles or values; the principles of conduct governing an individual or a group.
Moral: conforming to a standard of right behavior; capable of right and wrong action.
Politics: the art or science concerned with guiding or influencing governmental policy; the art or science concerned with winning and holding control over a government.

Ethics and politics. They exist together in a tangled thicket where human beings grope for pathways; where ambition and avarice close in around the weak and deceive the strong; where unmarked paths drift back and forth between right and wrong where duty and expediency struggle inside each conscience; where the will to survive clashes with notions of character and rightness.

In the thicket, some human beings lose their way.

There, secretly captured on a grainy snip of videotape, a grotesque portrait of legislative reality: a California state senator sharing grapefruit and toast with two FBI agents posing as businessmen, receiving an envelope from one of the agents, admiring a $3000 check, slipping it into his pocket.

There, the thicket takes on the trappings of 20th Century civility — convivial talk, heavy tableware, sparkling goblets, white linen. But there, too, apparently unseen by the senator, is the shadowy image of corruption: money-grubbing, influence-peddling and influence-buying.

In February 1990 the same lawmaker — Democratic Senator Joseph Montoya of Whittier — was convicted in federal court on seven counts of felony corruption, including extortion, money-laundering and racketeering. His chief staff aide stood indicted on similar charges. Montoya, chairman of one of the Senate's most powerful and sensitive committees — Business and Professions — was guilty of converting an office of public trust into a criminal enterprise.

The thicket where Montoya became lost is a tangle of money, of politics, of ego, of ambition, and of good deeds.

More and more, the thicket is awash with money, which not only serves as a medium of exchange but as a kind of language; money to win elections, money to pass bills, money to amend bills, money to defeat bills, money to sidetrack bills, money to bend government to the will of some special interest, money to seek a legislator's ear, money gained or lost by some interest on every legislator's vote, money to spend on programs and agendas and budgets. Money to corrupt men and women, money to taint their integrity, money to warp their character, money to cloud and confuse the way they decide between competing economic interests, between right and wrong.

Joe Montoya was not the only government official to wander down the wrong path. Nor was his arrest and conviction the only evidence of the ethical dilemmas at work in Sacramento. In August 1988 four legislative offices, including Montoya's, were raided in an FBI "sting" operation. More than 18 months later, three of those legislators — Assembly members Frank Hill, Gwen Moore and Pat Nolan — remain on the job, operating under clouds of suspicion. Each is said to be a subject of an on-going investigation, as are other elected officials whose offices had not been raided by the FBI.

And there is more.

In March 1990 former Senator Paul Carpenter, now a Democratic member of the State Board of Equalization, was indicted by federal prosecutors on four counts of felony bribery and extortion.

In November 1989 Karin Watson, a top aide to Nolan when he served as Assembly minority leader, pled guilty to charges of extorting political contributions that eventually wound up in the campaign accounts of Nolan and Hill. A top Senate staffer, John Shahabian, turned state's evidence after he, too, had been snared early in the FBI sting. His cooperation helped destroy Montoya.

Also in 1989 a Republican legislator, Assemblyman John Lewis of Orange, was convicted of forging former President Ronald Reagan's signature on hit pieces sent out during 1988 legislative campaigns. The conviction subsequently was overturned because Lewis' actions did not fit the legal definition of forgery.

Nor were allegations of official misconduct confined to Sacramento. Politicians from Washington, D.C., to Los Angeles seemed tangled.

- Only a month after his April 1989 election to a fourth term as mayor of Los Angeles, Tom Bradley was the subject of numerous probes into his financial affairs, including acceptance of an $18,000 salary from a bank that did business with the city.
- The speaker of the U.S. House of Representatives, Democrat Jim Wright of Texas, resigned in May 1989 following allegations that he had accepted favors from friends who did business with the government and that he had skirted rules governing gifts and honoraria by authoring a book sold in bulk to political-action groups and lobbyists.
- Two weeks after Wright's resignation, California Democrat Tony Coelho of Merced quit his House seat following allegations that he had failed to publicly disclose a $100,000 junk-bond investment with the now-bankrupt firm of Drexel Burnham Lambert, an investment financed in part by a $50,000 loan from a troubled savings-and-loan institution.
- Throughout 1989 the federal Housing and Urban Development Department was rocked by revelations that housing programs for low and moderate-income families had been looted by political insiders well-connected to the Reagan administration. Among those accused of helping himself to the federal dole was former Interior Secretary James Watt, by then a lobbyist and consultant, who was paid several hundred thousand dollars for making a few phone calls to agency poobahs on behalf of a client.
- Former President Ronald Reagan himself suffered a substantial nick in his teflon reputation when he collected $2 million for a brief 1989 junket to Japan at the behest of the Fujisankei Communications Group.
- Republican Senator David Durenberger of Minnesota was accused late in 1989 of laundering money through a Minneapolis publisher to circumvent congressional limits on income from speaking fees.
- U.S. Senator Alan Cranston of California was accused of using undue influence with federal regulators on behalf of a major contributor, Charles Keating, who had given more

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

than $800,000 to Democratic get-out-the-vote drives essential to Cranston's 1986 re-election victory. Cranston allegedly joined four other senators in an attempt to short-circuit federal investigations of Keating's financial empire, which included Lincoln Savings and Loan. Lincoln eventually collapsed, taking with it the life savings of thousands of small investors, many of them elderly.

Somehow, these officials — and others too numerous to mention — had lost their way and had compromised their integrity, even if they managed to stay within the bounds of legality. They had used a position of public trust for personal advantage. They were not necessarily venal people; certainly, Alan Cranston cannot be considered venal. But in most cases their senses of direction had been skewed off-course by the pressures and temptations that daily confront those in public office.

The stench from these and other scandals seemed to further alienate a public already withdrawing at an alarming rate from the political process. Alan Cranston's approval ratings plummeted in the wake of the Lincoln collapse as news stories highlighted his relationship with Charles Keating. Elsewhere, an August 1989 *California Poll* found that 42 percent of Californians considered state and local politicians dishonest and unethical. Forty percent thought that elected officials were more honest 10 or 15 years ago, while only 20 percent thought today's officials were more honest than their predecessors. A January 1990 *Los Angeles Times* poll found that a majority of Californians considered legislative bribery to be a "relatively common practice" in Sacramento. According to the *Times*, two-thirds of those polled agreed that "most state legislators are for sale to the largest campaign contributors." And by a better than two-to-one margin, citizens thought all state government was run by and for a "few big interests."

Is the Legislature lost in an ethical jungle where its own culture demands that the ends justify the means? Are individual legislators corrupt, to a person? Or are honest individuals forced to struggle inside a system that itself is tainted? Has money warped and corrupted the institution of government and the process of law-making so that lawmakers themselves can no longer tell if they have been corrupted? And does the public accurately understand the pressures and temptations that lawmakers and other governmental officials face every day, in a hundred different decisions dealing with a hundred conflicting interests?

The political universe is, above all, about power. Political power is primarily measured by two elements, money and winning, that each may be used to obtain the other. Within the closed world of the Legislature, winning is especially prized — winning elections, winning higher office, winning passage of bills, winning speakerships, winning important committee assignments, winning the implementation of agendas, winning recognition, winning just to win, winning to bring even the smallest triumph to the folks back home, winning to show mastery of the process. *Who* wins and *who* loses is vital; winning and receiving credit for winning become as important as what is accomplished by winning.

People who enter this kind of world have egos that feed on success, egos pushed out to the edge every day, egos that require validation. The *need* to win creates its own kinds of pressures, its own dilemmas, its own compromises. Add this need to win to a universe where millions and millions of dollars are at stake for special interests every time the Legislature takes up a vote, and the pressure compacts exponentially. Inside this cauldron, perceptions of right and wrong bend and warp to fit the culture.

"This is a contentious world," says Senate President pro Tempore David Roberti, a Hollywood Democrat. "People lose elections. People lose bills. People get upset when they lose bills. ... In a contentious system, a system that's adversarial, constitutionally, there is going to be a perception that something is wrong."

And that perception — that money drives and bends the system — as much as anything else has brought government to a new crisis of trust with the public it is elected to serve.

The most pervasive form of money-speak loose in the system is the campaign contribution because the campaign contribution leads to the first win — the election victory that makes all other victories possible. Millions of dollars in contributions are collected and spent by legislators, and most of that money comes from special interests with business before the Legislature. But the influences are not as simple as trading money for votes. Few in the 120-member Legislature are blatantly corrupt. The influences at work are much more subtle. Yet, the pressures and temptations that warp the system are real.

"Most of us run for office because we have a certain philosophy of government we want to see embodied and developed," says Assemblyman John Vasconcellos, the San Jose Democrat who chairs the Assembly's select committee on ethics. "We don't think about economic interests. We don't realize we'll be voting between doctors and chiropractors, between psychiatrists and psychologists, between banks and savings-and- loans. So, we end up developing two roles: general government policy and arbiter between competing economic interests."

Members usually act with integrity in their roles as policy makers, Vasconcellos says. But as an arbiter, he warns, "The moral imperatives aren't as clear. In the area of psychiatrists or psychologists treating the mentally ill, unless you know the area very well, it's hard to know what's morally correct. It's thin ice, and so people are more subject to being affected by money."

Some influences do not even include contributions, only the promise of contributions, of help. Those influences begin to pile up on a legislator's first day in office.

Human beings by nature are gregarious, and when a legislator first comes to Sacramento, he or she is alone for days

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

at a time, a little lost, a little bewildered, explains Democratic Assemblyman Lloyd Connelly of Sacramento. Connelly feels that members are most vulnerable during this initiation period and may fall prey to "professional friendships" offered by lobbyists, most of whom are well-paid to seek out and cultivate relationships with lawmakers. Lobbyists, Connelly says, may take new members in hand, show them around Sacramento, make sure they don't dine alone every night, accompany them to movies, or to Sacramento Kings basketball games, invite them home to watch a baseball game or to play racquetball at the Capital Athletic Club where legislators are given free memberships.

"Real friendships develop because of this," says Connelly, who feels he escaped these temptations because he is from Sacramento. "A subtle influence develops. Down the road, when that lobbyist comes to that legislator asking for help on an issue, that legislator is going to be more inclined to help. It's a subtle influence that warps the decision-making process when it comes to viewing bills on their merits."

That influence comes into play many times during the course of a legislative day. "We tend to specialize here on issues," explains Democratic Assemblyman Byron Sher of Palo Alto. "But there are a whole range of issues that don't affect your specialized area or your district. And when [a lobbyist or special interest] asks for your vote, you usually don't have the time to weigh the policy. You're faced with a daily agenda of 40 bills, and this one hasn't caught your attention, and the person asking for the vote has been nice to you or helpful to you in one way or another, and the bill is important to them, you're likely to go with that person."

Campaign contributions are important to legislators because it takes an enormous amount of money to win contested elections in California. In some cases, it can cost each side more than $1 million to win an Assembly seat, and incumbents want to short-circuit election battles by having a carload of campaign money on hand to scare off potential challengers. That money must come from deep and plentiful pockets. And the deepest pockets around are those of special interests most closely regulated by government — doctors, lawyers, insurance companies, race tracks, liquor and wine distributors, corporate farmers, real estate developers, teachers, police officers, prison guards, oil companies, *ad infinitum*. Fund raising from these sources is a near-constant activity among legislators.

There are also a few telling examples of what happens to legislators who don't raise money. In California, one need look back no further than 1978 when incumbent Democratic state Senator Arlen Gregorio decided to limit the size of the campaign contributions he would take. Gregorio was badly outspent, and beaten, by Republican Marz Garcia, and the lesson is not lost on contemporary politicians.

Michael Josephson, founder of the Joseph and Edna Josephson Institute for the Advancement of Ethics in Marina del Rey, says that nearly every campaign contribution is a bribe. Special interests give to a legislator because they want to influence, even in some small way, the decisions and actions of that legislator. While many legislators consider words like "bribe" and "corruption" too strong, they nonetheless agree with Josephson's premise that money warps the legislative process.

"People are looking for access, looking for a place to argue their case in front of someone who matters," says Congressman Vic Fazio, a Sacramento Democrat who is a member of the House ethics committee. "Time is my most valuable commodity, and I won't deny that ... people who give money may have more of an opportunity to make their case than people who don't. Money doesn't guarantee the vote, but [it] sometimes allows you to make your case, and it's better to at least make the case."

"When you take money from interest groups and their representatives here [Sacramento], it obviously affects your relationships," says Assemblyman Sher. "Not that it buys votes; the effects are much more subtle. When you give a fund raiser, and you call people to attend and they agree to it, they're not doing that because they like you personally. They're doing it because they want to make their case to you."

The influences created by a campaign contribution may be as overt as a favorable vote for a special-interest contributor. Mostly, however, they are obscure. And they may be so obscure that the legislator isn't even aware of the influence.

"When you know that the next day you've got to go ask for $1000 or $5000 for your campaign from some group, it is more and more difficult to be explicitly anti their position," says Vasconcellos. "You may speak against them, but you speak more softly rather than rant and rave. There's a whole subtle range of behavior modifications that aren't particularly corrupt but are contaminating. They begin to degrade the whole system."

"The first time I thought about this involved a bill involving some element of gaming activity," recalled Connelly. "It was on the floor, and I voted 'no.' Then I left the floor, and the lobbyist for that group was there, and the lobbyist was profuse in his thanks. He really appreciated what I had done. And I told him I voted against the bill. And he said, 'But you didn't *speak* against it.' This person was truly grateful and thankful that I didn't rise up and speak against the bill and maybe get four or five more negative votes. In his mind, that might have increased the likelihood of a veto.

"It was discomforting," Connelly concluded of the inci-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dent. "It gave me a little insight that these guys [lobbyists] are considering things that ... I'm not even thinking about."

"What happens is a gradual shifting of a man's loyalties from the community to those who have been doing him favors," wrote the late Paul Douglas, a U.S. senator from Illinois from 1949 to 1966. "His final decisions are, therefore, made in response to his private friendships and loyalties rather than to the public good. Throughout this whole process an official will claim, and may indeed believe, that there is no causal connection between the favors ... and the desions. ... [T]he whole process may be so subtle as not to be detected by the official himself." (Quoted in *Ethics*, Spring/Summer 1988, The Josephson Institute.)

The influence of special-interest money soaks deep into a legislator's consciousness. "Just about everyone at some point looks at a bill they're going to vote against, and says, 'If I vote against it, will somebody get mad at me?'" says Democrat Richard Katz, an assemblyman from Panorama City. "Most people would go ahead and cast the 'no' vote anyway, but at least they'd have stopped and thought about it."

Nonetheless, Katz says, the influence is there, snarling a legislator's ability to make clear decisions on various issues. Others — notably Assembly Speaker Willie Brown Jr. — feel that special-interest money tends to cancel itself out. On several occasions, Brown has said that the more special interests give to lawmakers, the more able legislators are to shake off the influence of money.

"There isn't enough special interest money," agrees state Senator Bill Leonard, a Redlands Republican. "There ought to be a countervailing force for every issue. People should become involved, affiliate. They aren't powerful by themselves, and they need political expertise to advise them."

But Assemblyman Ted Lempert, a first-term Democrat from San Mateo, argues that the money is not equal in every dispute. Some interests, says Lempert, have the ability to generate a lot of money, while other interests do not. "In the insurance battle, how much is the consumer interest represented?" he asked, referring to an issue that saw huge contributions pour into lawmakers' treasuries from the two main antagonists — insurance companies and trial lawyers — neither of which, Lempert suggested, represented the interests of consumers.

"It [the speaker's assertion] is not true across the board," added Assemblyman Sher. "One group may be very active and well-financed and contributes, and those on the other side have to be effective in another way. But it is the money that gains influence."

Lawmakers are even more dependent on special interests, says Richard Katz, because many altruistic donors have been driven out of the system — the "donors who want to give money because they've got it and they believe in a certain kind of government." "We've reformed ourselves [thanks to Proposition 73] into institutionalizing donors who have an axe to grind," says Katz. "The altruistic donor won't try to con people by forming multiple PACs that are all fictions. The entities who have vested interests in getting something out of the system will go through the rigamarole of giving their executives bonuses and then hitting them up for contributions. We've created a system where the only folks involved are the institutions that have a vested interest in what goes on."

But while lawmakers decry the time and energy spent raising campaign money, and most would like to see some way to cut down the influence of special-interest money, few suggest that they are in a position to back off.

"We're all trapped in an arms race," says Connelly, who defends Speaker Brown's role as the Assembly's chief Democratic fund raiser. "What does he do? Not raise money? What does Ross Johnson [Assembly minority leader] do? If they don't raise money, they lose seats. It's one of the lousy things about the system. We — the collective 'we' — impose on [Brown] this burden to raise money to defend the collective we'."

"The only system that wouldn't rely on the flow of money to get people elected would be a non-democratic system," insisted Senator Roberti, Brown's counterpart in the Senate. "I'm not saying this to say we should never try to make reform ... but to act as if we can create a system that is devoid of money fueling campaigns is to pretend that people sort of ascend into the position."

Other financial temptations also obscure notions of right and wrong in the legislative universe. Honoraria and gifts, for instance. It was an honorarium that Joe Montoya accepted over breakfast with FBI agents. Honoraria are personal payments that go straight into the pockets of lawmakers and other governmental officials. While campaign contributions must be spent for campaign-related activities, honoraria may be spent, period. Recipients need only report the payments on forms filed with the state Fair Political Practices Commission.

Some legislators make thousands of dollars each year from gifts and honoraria. California Common Cause reports that state senators received a total of $106,933 worth of gifts and $112,788 in honoraria during 1989. Democrat Bill Greene

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of Los Angeles received the most gifts — $8776 worth. Democrat David Roberti and Republican Bill Campbell (since retired) earned the most honoraria — $14,900 and $13,500, respectively. Assembly members were given $266,746 worth of gifts and earned $173,175 in honoraria. Leading gift recipient was Democrat Mike Roos of Los Angeles, with $20,715. Assembly Speaker Willie Brown Jr. earned the most honoraria — $42,150.

Most legislators agree that gifts should be banned. They hedge when it comes to honoraria, suggesting that outright bans may not be fair to legislators who rely on that kind of income to supplement their legislative salaries. If honoraria are to be banned, lawmakers reason, it is because they are now seen by the public as evil — not because they *are* evil.

"Honoraria have taken on the aura that many people think is unseemly," says Senator Roberti. "That's not to say that people don't legitimately earn [them]. You prepare a speech. You schlepp yourself across the state. You condense your calendar. You don't see your family. You exhaust yourself. You come down with a cold. But the perception is that there is something improper about it, and it's just best to get rid of them."

Also, there are degrees of honoraria. Some are blatant attempts to influence a legislator with money, such as the $3000 given to Senator Montoya for attending a 45-minute breakfast. Others are blatant rewards for past services performed, such as the $10,000 given a few years ago to Senator Robert Presley and Assemblywoman Sunny Mojonnier by the Correctional Peace Officers Association.

Other kinds of honoraria seem benign. Is it unethical to accept a fee for speaking at a conference at Spelman College in Atlanta? Will this kind of fee influence a legislator's vote? What if, unbeknownst to the legislator, the conference is underwritten by the insurance industry? Is that fee suddenly unethical? Is it unethical to be paid for participating on a panel of state legislators at Rutgers University in New Jersey? What about a similar panel at Stanford or the Claremont Colleges or some other private university within California? How about at the University of California, which depends on the Legislature for its state budget?

What about other forms of outside income? Is it unethical to accept a $500 fee for speaking to a group of podiatrists but not unethical for a legislator who's a lawyer to charge a $2000 retainer for representing a podiatrist's clinic? Or to earn $10,000 worth of commissions on policies written by a legislator's insurance agency for 25 district podiatrists? The speech honorarium will be illegal should voters approve Proposition 112 in June (see the Ballot Book in this issue); the retainer and the commissions will not be illegal. Is this fair? Does one kind of payment skew or taint the Legislature any more or less than another kind of payment?

"It's a matter of genuine complexity," says Assemblyman Connelly. "As a matter of public policy, you don't want to deny people the right to legitimately earn outside income [by making speeches]. By the same token, the speech honorarium, per se, has such a broad potential for abuse that it seems justified in terminating it."

"We need to ban honoraria," says Assemblyman Sher. "It's the easiest way to gain access to a legislator. Talk to someone's executive committee for fifteen minutes and pick up a check for $2000. But I am sympathetic to those who rely strictly on the compensation for this job. It's an uneven situation."

Money, in whatever form, tends to impair a legislator's judgment. So, too can a legislator's addiction to the job. A legislator is an important somebody in a small, confined universe. There is staff to do your bidding; sergeants-at-arms to pick up your laundry or drive you around town or deliver your packages; lobbyists to fawn over you, laugh at your jokes, lose to you at racquetball, beg you for attention and for votes.

"Wanting to be here," says Vasconcellos, "whether it's to be recognized and therefore thought to be more valuable, whether it's to do good. Then, there's the whole issue of the glamour, the recognition, the charm of being a legislator."

"According to an old proverb," writes Michael Josephson, "a person who thinks money can do anything is likely to do anything for money. Similarly, politicians who think their office is everything are likely to do anything to keep it. ... Those who identify themselves in terms of their legislative seat cling so desperately to the job that they lose sight of the nobler reasons for seeking office in the first place."

Clearly, former Senator Joe Montoya — who originally ran for the Senate as a reformer — had lost sight of those nobler reasons. Many of Montoya's colleagues knew the way he operated. Could he have been lured back along the road to correct ethical behavior by some sharp internal discipline? Or, is it impossible for a legislative body to adequately police itself? Must, as many members suggest, discipline be imposed from the outside? Some observers argue that previous reform efforts fell short of changing members' attitudes towards ethics because those reforms were imposed from the outside (Proposition 9 in 1974, for instance). The Legislature itself, observers say, was never forced to deal with the issue.

"It probably takes both [inside and outside influences]," says Connelly. "A sharp stick in the back is always helpful." But Connelly and others warn that self-policing inside a universe as sensitive as the Legislature is very difficult.

"The smaller the body, the more of a problem because of the intricate relationships involved," says Connelly. "The instinct can be to protect, or the instinct can be to harm. Friendships develop; animosities develop. If the policing really started, it could become very volatile."

Says Roberti, who appointed Senator Montoya to his chairmanship and kept him there long after Montoya's behavior raised suspicions among his colleagues, "It is very difficult. You police somebody on Monday, and on Tuesday, you're asking for his vote. The long and the short of it is that we have two things to do: one, to maintain the integrity of the house; and two, to deliver for people who expect us to ... deliver. You try not to do one to the exclusion of the other, but it puts you in a difficult conundrum."

Ultimately, the integrity of the house is linked to the integrity of individual legislators. And ultimately, questions of ethical behavior turn on matters of individual character.

Joe Montoya was an aberration; every member of the state Legislature is not corrupt. Few of them are as lost in the thicket as Montoya. Have the rest strayed? Are their perceptions of right and wrong obscured by money and by the necessities of political life? And is the system itself, reliant as it is on campaign money from special interests, warped to favor those interests over the interests of the public at large?

Probably. But the righteous path is not easily found.

Writing in the August 1960 *Reader's Digest*, an anonymous lawmaker, "Assemblyman X," thought to be the late Jesse Unruh, outlined the dilemmas. "If I had stayed away from the lobbyists I would have been ineffective," he wrote. "If I take their money and given them nothing for it, I am a cheat. If I do their bidding, I could be cheating the public. I find myself rationalizing what I have done. The tragedy is that I may wind up serving the very elements I set out to beat — yet not even know I have changed ...." (as quoted in *Ethics*, Spring/Summer 1988, The Josephson Institute)

Part II: right from wrong; the ends and the means. June 1990

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ANNOUNCING:

THE DISAPPEARANCE OF REPRESENTATIVE GOVERNMENT

by Robert T. Monagan

Former California Assembly Speaker Bob Monagan writes from over 30 years of governmental and political experience in local, state, and national elective and appointive offices. From his personal involvement and understanding, Bob Monagan expresses his concerns and proposes practical solutions to our current political dilemmas.

Read how and why we're losing the most important benefits of representative government; then discover what Californians can do about it!

WHAT OTHERS SAY ABOUT THIS FASCINATING BOOK:

Sacramento Bee Capitol Bureau Chief Bill Endicott writes:
"Bob Monagan has earned the right to be viewed as a senior statesman. . . . What he has to say about the current state of affairs deserves more than passing attention."

Claremont College's Dean of The Rose Institute, Dr. Alan Heslop says:
"A wise book by one of California's few elder statesmen. Vital reading for all concerned to halt on-going political decline."

Los Angeles Times Sacramento Bureau Chief, George Skelton states:
"Whether or not one agrees with Bob Monagan's solutions, his book is provocative, informative and timely in an era of heightened public mistrust of politicians."

This book will be published in May 1990; readers of *California Journal* may reserve copies now at a **special pre-publication price!**

Please send ____ copies of *The Disappearance of Representative Government* at the prepublication price of $8.95 (plus $2.55 for tax, postage and handling) to:

Name _____

Address _____

City _____ State ____ Zip _____

Cut out or copy this order form and mail with $11.50 for each book to:

COMSTOCK BONANZA PRESS
18919 William Quirk Memorial Drive, Grass Valley, CA 95945
(916) 273-6220

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Photos by Rich Pedroncelli

FEINSTEIN vs. VAN DE KAMP

Will a divisive primary hurt Democrats' chances against Pete Wilson?

By Richard Zeiger

Whoever wins the Democratic nomination for governor can look forward to waking up on June 6th battered by a bruising primary, broke, and facing an opponent with close to $20 million in the bank.

Not an unusual position for a Democrat.

It was only a few months ago that prospects looked a lot different. Back then, Dianne Feinstein's campaign was in disarray. John Van de Kamp held a commanding lead in the polls, and Republican Pete Wilson — facing only token challenges in his own party — was gearing up for commercials about the death penalty. Now, Wilson's camp is uncertain whom he will face, and it is reduced to protestations that it doesn't matter; Wilson will demolish any opponent in November.

Feinstein's remarkable turnaround was achieved in true California style. It was accomplished with a single 30-second television commercial. Produced with a piddling $13,000, and aired on $600,000 worth of broadcast time in Southern California, the Feinstein commercial surfaced just before several polls were to be taken and caught Van de Kamp when he was unprepared to respond. The spot, which featured the former San Francisco mayor taking over the reins of office after the assassination of Mayor George Moscone, portrayed Feinstein as "tough and compassionate," and it reminded voters that she — unlike Van de Kamp, who was not mentioned by name — was the only Democrat on the ballot who favored the death penalty.

The results were nothing short of astounding. Down by a dozen points in previous polls, Feinstein suddenly found herself ahead by 19 points in a *Los Angeles Times* poll. In head-to-head matchups with Wilson, she was ahead by 11 points.

Suddenly Dianne Feinstein, who political reporters had been saying was all but out of the race because she didn't have the stuff to be governor, now looked "new," "interesting" and "dynamic." One San Francisco columnist went so far as to say she was the natural successor to Robert Kennedy.

As one campaign consultant who usually works for Democrats but is not involved in the governor's race put it, "All things considered, I'd much rather be working for Dianne right now."

Even Richie Ross, who is running his first statewide campaign as Van de Kamp's campaign manager, conceded that it "would be easier" to be the manager of the now-glitzy Feinstein than the more staid attorney general.

Continued on next page

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It's not the tune Ross was singing last Summer. A veteran of Speaker Willie Brown's political operation, Ross once had an exclusive right to handle Assembly Democratic campaigns for the speaker. But in the mid-1980s Ross lost a couple of races and exiled himself from politics, saying he wanted time to "study at the feet of the masters." Learning in such a posture apparently is quick, and Ross was soon back running local campaigns in the San Francisco Bay area. In 1987 he pulled off a major victory by navigating Art Agnos to victory in the San Francisco mayoral race.

But where Agnos and Feinstein are exciting and good on television, Van de Kamp comes with no such advantages. Bright and obviously ambitious, Van de Kamp is considered by most to be incurably dull. Given that, and the indications in political polls that voters are ready for a more dynamic governor after eight years of George Deukmejian, Van de Kamp decided to become the candidate of ideas.

Last Summer he proposed three ballot initiatives that were timed to coincide with the November elections. One, known as "Big Green," proposes a number of environmental measures, including creation of a new statewide environment "czar." Another matched the crime initiative proposed earlier by Republican Wilson — only Van de Kamp's version made it clear that the measure would not tamper with state protections on a woman's right to abortion, a matter the attorney general said was in doubt in the Wilson version (Wilson denies this). Finally, declaring the state Legislature an "ethical swamp," Van de Kamp proposed an ethics measure that includes a limit on the number of terms lawmakers can serve.

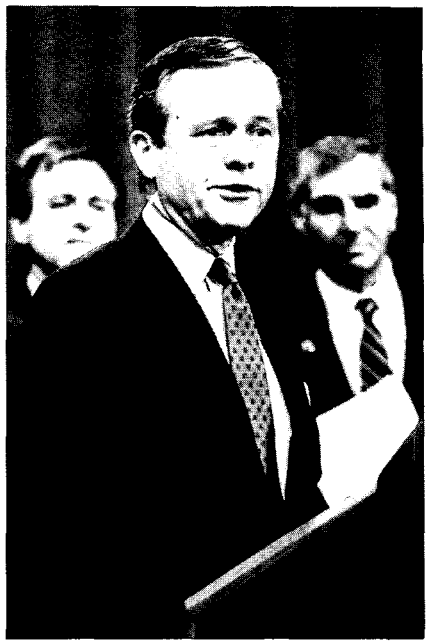
The measures got Van de Kamp a lot of attention, clearly staked out his position on a number of issues, and catapulted him to the top of the opinion polls without having to spend money on television.

Feinstein's campaign, meanwhile, was foundering. The candidate herself had to undergo surgery and was physically unable to campaign for several weeks. Then her campaign manager, Clint Reilly of San Francisco, declared that she didn't have enough drive to make the race. He pulled out, leaving Feinstein without a campaign organization.

But Feinstein declared that she was in the race to stay and began to put together a new campaign team, this one headed William Carrick and Hank Morris. Carrick, a former aide to U.S. Senator Edward Kennedy of Massachusetts, ran Missouri Congressman Richard Gephart's unsuccessful 1988 presidential campaign. Morris' background is in political media where, among other things, he made television ads for Tom Bradley's 1982 campaign for governor. The two had just joined forces when they were approached by the Feinstein campaign.

By that time, things were looking grim for Feinstein. She was down by 18 points in the *California Poll*, and her sources of campaign money, with one notable exception, had dried up. But that exception was an important one: her husband, multi-millionaire financier Richard Bloom. He provided much of the money for the campaign to continue and his backing made it possible for Feinstein to gamble on the early, $600,000 television buy.

And what a spot it was. Everyone agrees that the 30-seconds were very effective. Using only actual news clips and old photographs, the commercial reminded voters that Feinstein pulled the city together after Moscone's murder, argued that she was an effective leader in an often fractious San Francisco, that she was for the death penalty. Polls show that voters are overwhelmingly for the death penalty in California, even Democratic voters, but it is uncertain just how much influence that had on their decision to support Feinstein. In a recent *Los Angeles Times* poll, for example, voters noted that Feinstein had the correct position on the death penalty, but they said it was Attorney General Van de Kamp who has the correct position on law and order.



Wilson

Van de Kamp's campaign remains uncertain just how the death penalty issue will affect their candidate. Although personally opposed to the death penalty, Van de Kamp has pushed hard for its implementation as attorney general. Then there is the possibility that an execution will occur before the election. Murderer Robert Alton Harris is scheduled to die April 3rd. If that event should occur, some believe there will be something of a backlash against the death penalty that might prove helpful to Van de Kamp. At the least, they think the pressure on Van de Kamp will diminish.

Political observers differ on just how gutsy Feinstein's decision to air her television spots was. At the time, some questioned it, saying that money invested so early would have little impact by election day. Other maintain that Feinstein had little choice.

" I don't think it was even high risk," offers Republican opponent Pete Wilson. "She either had to do that or decide she wasn't going to run. A $600,000 buy with nothing on opposite it can be very effective if it's good. And this was good."

Carrick admits that the campaign had little choice other than to go on the air waves early, "We had to just jump start it," but he maintains the risk was not that great.

Although Van de Kamp was ahead, Carrick notes, the electorate was "soft."

"All the candidates were really starting from the same spot," he noted.

What no one foresaw was just how quickly it would move the polls. That single spot turned Feinstein into the front-runner.

Van de Kamp believes that the poll shows no more than the "fragility of the electorate and the volatility that's out there, the power of television and the fact that they don't know either one of us very well."

"My own view is that we're quite close, and the numbers can turn the other way just about as rapidly as they went her way," Van de Kamp added. "There's going to be a lot of change between now and June."

Wilson agrees that the early numbers mean little. "It will be a very volatile Democratic primary," he offers, "Frankly,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I'm delighted. I had all but despaired of there being a contest on the other side. It appeared that Dianne had gone into permanent hibernation. It appears now there will be a contest."

According to the Van de Kamp campaign, the quick poll movement means that the voters really have no firm opinions about the two contenders. They believe this is particularly true of Feinstein, who is largely unknown in heavily populated Southern California. That leaves plenty of room for the Van de Kamp campaign to fill in the blanks with their own image of the former San Francisco mayor. Indeed, Van de Kamp took just such a tack during his first official campaign swing through the state, attacking Feinstein at each opportunity.

But such a strategy entails risks. Van de Kamp was criticized for being too harsh in his opening salvo, and he may be discovering that — the desire for sexual equality in politics notwithstanding — it may be tougher to go on the attack when your opponent is a woman.

"Once people get to know her record, then she gets cut down to size," Van de Kamp notes, but he concedes he can't go too far. "You have to be careful. While she's been on the attack, I get amused at some of her reactions, as if we've been engaged in bullying. That's not the reaction I'd get from a man."

But still, he adds, "You have to do it in, how can I put it, a more chivalrous way."

Even Wilson has begun to think about how he will campaign, should he have to face the first woman to become a major party nominee. It's really fairly simple, he offers: "Good manners makes good politics," an aphorism that, alas, is not always true.

The fact that Feinstein is the first woman to seriously run for governor in California adds to her novelty and has made it easier to package her for television. And, as Carrick notes, there are 700,000 more women than men voting in the Democratic primary.

But Van de Kamp believes Feinstein's television abilities are overrated — and that his own are underrated.

"She's had one entire year to establish her stardom, and she's been unable to do that in free media situations where she appeared in public and on television," noted Van de Kamp. "I'm not a William Holden or a John Wayne or a slick talking charismatic, but I think I do a respectably decent job on television."

Wilson, too, thinks the bloom will eventually fall from the Feinstein rose.

Said Wilson: "You fellows in the pundit business have a seductive and rather treacherous pattern with candidates. You accord each his or her boomlet, their moment in the sun, and then, once they've enjoyed that and the focus becomes more intense, the boom begins to fade. And that's going to happen to Dianne, too. She's a new face, and I think an attractive one. But the only thing the public knows ... is favorable.

"As important as television is, it is ephemeral. It's like cotton candy. It's expensive and the pleasure won't last long. The real point is that what people know of her now is all that pleasant [impression]. All the cuts Van de Kamp has taken have been in print. Once he goes on the attack on television, assuming it is effective television ... then I think it's quite predictable that she will appear quite less formidable."

But for the moment, the polls did one other important thing for Feinstein, they opened the gates for money and gave some politicians the opening they had sought to endorse her.

While the Van de Kamp people insist that Feinstein's poll showing has not hurt their campaign, the candidate concedes that her endorsements by Speaker Willie Brown and Senate President pro Tempore David Roberti have made things more difficult. There is, Van de Kamp notes, at least the

Advertisement

ONCE UPON A TIME, THEY CREATED LAFCO, REDUCED LOCAL GOVERNMENT LIABILITY, ENACTED CEQA, LEGISLATED A METROPOLITAN TRANSPORTATION COMMISSION, AND WERE INSTRUMENTAL IN HUNDREDS OF OTHER IMPORTANT WORKS.

John T. Knox; John F. Foran; Richard B. Spohn; David Nagler; Meg Catzen and Barney Allison have all made a difference. Now, you can bring this talent and more to your Legislative goals. Legislative Advocacy, Public Finance, Legislative Consulting and top rated Bond Counsels . . . We're Nossaman, Guthner, Knox & Elliott and we are working with you.

NOSSAMAN, GUTHNER, KNOX & ELLIOTT
915 L Street, Suite 1000, Sacramento, CA 95814 916.442-8888

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

implied threat that these legislative leaders will not look kindly on the legislative efforts of groups that support his candidacy.

Compounding whatever money-raising problems may exist is the question of the three Van de Kamp-sponsored initiatives. Hailed as a brilliant strategy last Summer, when they garnered Van de Kamp a lot of free media attention and pushed him ahead of Feinstein in the public-opinion polls, actually gathering the signatures, which will be finished in the middle of this month, is diverting a lot of time and money from the main Van de Kamp campaign.

If the initiatives are a mixed blessing in the primary, Van de Kamp has no doubt about their value in the general election. "They're the key to defeating Pete Wilson in November. They are important public-policy decisions. They are the issues that divide us," notes Van de Kamp, who adds that he is committed to pushing for their passage no matter what the disadvantages may be.

But first, he has to get past Feinstein, a task that no longer appears easy to do. Both sides expect to spend from $4 to $5 million before the primary ends, and each is already sending not-so-veiled threats about how tough they can be, just in case the other side starts something.

"They call it 'comparative' ads. Comparative translates to negative," notes Carrick. "Well, if they do negatives, we'll do comparatives."

Although Van de Kamp must be careful how he attacks a woman, Carrick, too, believes his candidate must be wary. There still are attitudes that it's not too seemly for a woman to take.

And no matter who wins the primary, they still will have to contend with a well-rested Wilson, who proved himself a tenacious campaigner only two years ago in his U. S. Senate race with Leo McCarthy. Wilson used his enormous financial advantage to go on television right after the primary and the lieutenant governor never had a chance to recover.

Wilson's camp, of course, isn't saying if they plan to repeat that plan this time. But neither are they willing to let the contending Democrats gain too much unanswered electoral attention. Late last month Wilson was in the process of purchasing some television spots in minor media markets.

Wilson, of course, is blessed with only token opposition within his own party. He has some badly-financed opposition from the right-to-life faction in the Republican Party, and this most conservative wing can still manage to make something of a fuss internally, which it did at the party's convention in March. But Wilson has managed to bring on board just about everyone with clout in Republican circles. Even if Wilson may not be ideologically pure, GOP leadership has banded together with the common thought that Wilson is the party's best chance to hold onto the governorship during a crucial reapportionment year.

This gives Wilson the advantage of not having to drift toward the right during the primary season, as he might have had to do had he faced a difficult primary.

And despite the significant stylistic differences between Van de Kamp and Feinstein, from Wilson's point of view, his campaign probably won't change much.

"The fact is, they agree on far more than they disagree. You're not looking at a contrast between a moderate and a liberal, you're looking at a contest between two liberals. It's going to be fun to watch this contest because they are going to be at great pains to disadvantage the other person," Wilson said recently. "I think they will bruise each other up. And I may occasionally send a note in a brown envelope to coach them a little."

Advertisement

California JOURNAL

Credibility is the cornerstone of our reputation

The credibility of our circulation information is crucial to our reputation. Advertisers need to know that the message they place in our publication will reach their target markets.

That's why we subject our circulation records to independent verification by the largest and oldest circulation auditing organization in the world — the Audit Bureau of Circulations.

Credibility is ABC's business. In fact, 4,800 advertisers, publishers and advertising agencies rely on ABC-audited data for print media planning.

We're proud that our publication measures up to ABC standards. Advertisers can rely on our ABC-audited circulation.

Audit Bureau of Circulations
Member

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Cartoon by Anson Jew

FILL 'ER UP.

Can Proposition 111 get the state back on the road?

By Steve Geissinger

George Deukmejian is not supposed to be a gambling man. But here he is in his last days as governor, at the table with political friends and foes alike, throwing the dice on a pot big enough to bump Lotto 6-49 into Nevada — an $18.5 "B"-as-in-"Big" *billion* pot.

The money would come from *taxes*; increased gasoline taxes.

This, from a Republican governor who twice ran on pledges that he would not raise taxes and has repeatedly dismissed bipartisan gas-tax increase proposals? In a state that has only just buried revolutionary anti-tax leaders Howard Jarvis and Paul Gann?

Yes. And to twist the plot so far that even Hollywood would be scared off, it's backed by a broad coalition of political enemies and it faces virtually no opposition.

But this massive political gamble that voters will raise their own taxes Proposition 111 on the June 5th primary ballot (see Ballot Book), isn't so hard to believe when you consider that without it — or some other decisive action — Californians' love affair with the car will continue to deteriorate into a bitter, unwanted divorce.

Despite ever-more congested freeways and complaints from the private and public sectors, state government for years remained hamstrung by spending limits, paralyzed by partisan politics and afraid of plans that might be unpopular with the electorate. Finally last year, with gridlock looming at peak hours in the big cities and the coffers for freeway construction empty, government finally ground into action.

Deukmejian dropped his opposition to a gas-tax hike. He and the Democrat-controlled Legislature agreed to ask voters to loosen the government spending limit so the nine-cents-a-gallon tax on gas can be doubled to finance a $18.5-billion highway and mass-transit rail construction program.

The governor kicked off a $5 million effort for passage of the measure in March, saying he will not only serve as chairman but will also actively campaign by including plugs in speeches and by making personal appearances. You might also see him in television advertisements.

"It will depend on our media consultants, whether or not they think it will help or hurt the campaign. If they think it will help, I'll be happy to do that," the governor says.

But even though Deukmejian dropped his opposition to gas-tax hikes in order to propose a solution to the transportation crunch, the governor still doesn't seem to like the idea all that much. At the Republican state convention in March, Deukmejian said the poor will suffer the most from the tax hike.

"It is a tax that will fall unevenly. It will be more of a bur-

---

Steve Geissinger is a Capitol correspondent for Associated Press in Sacramento.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

den on the poor. As all of you know, this was not my first choice," said Deukmejian, who sponsored a $1 billion transportation bond measure that voters narrowly defeated in June 1988.

The comment essentially constituted an invitation for opposition from groups that work on issues of concern to the poor. It startled the strategists putting together the campaign.

Proposition 111 spokesman Bob Schmidt, of the political-consulting firm of Woodward and McDowell, says in response that it's important to remember that the proposal involves a user fee — only those that use gas will pay — and that the alternative bond proposal was rejected. The transportation improvements are obviously needed, but the issue is being left to the voters to decide, he adds.

The campaign to win those votes was launched aboard Sacramento light rail, which proponents acknowledge was part of their bid to emphasize Proposition 111's aid to mass transit and to derail any criticism that it too heavily favors freeways.

Schmidt says there are a couple of key strategies that will be employed to convince voters the measure will bolster mass transit with more than $3 billion in new funds, improve freeway commutes in cities, upgrade rural roads, and help ensure timely transportation of goods. Television ads, money permitting, will be localized to focus on how Proposition 111 will get that stalled project down the street finished, he says. The campaign will also use radio to reach motorists stuck in rush-hour traffic.

Among the prime messages will be the long list of government, business, organized labor and other groups backing Proposition 111. The list includes the California Taxpayers Association, state Chamber of Commerce, California Manufacturers Association, California Farm Bureau Federation, and California State Employees Association, as well as the Association of General Contractors, the League of California Cities, the County Supervisors Association of California, and the League of Women Voters.

Proponents could hardly have a better backdrop for the campaign. State transportation officials have announced a delay in construcction of $600 million worth of new freeway projects because the state is out of money. Without the gas-tax increase, officials say, the state highway-building program will remain shackled even after arrival next June of a new round of federal money, which could be used only if the state provided matching funds. The existing tax will provide only enough for maintenance, they add.

Federal officials, used to states clamoring for transportation dollars, are pleased by Proposition 111 and say it falls in line with President George Bush's new transportation policy. Moreover, Deukmejian, who is not seeking re-election after two terms, is making a sort of political last stand by saying that there isn't even a contingency plan if voters reject the tax hike.

But strategists acknowledge that it could be a tough campaign. For most of a decade, Deukmejian has been telling voters — who embraced the Jarvis-Gann tax revolt — that the gasoline tax didn't need to be increased. In addition, political observers say, Californians deep down may not want to admit to themselves that things have gotten so bad.

Pollster Mervin Field last summer found that voters were divided 46 percent to 46 percent on raising gas taxes. Following the San Francisco earthquake that shattered freeways in October, acceptance went up. But the even 46 percent split returned in a February *California Poll*.

The task of convincing voters to increase taxes is so delicate that supporters feared any formal opposition at all. Just forging the complicated transportation package, for starters, involved difficult compromises between urban and rural areas; north and south; regions which have enacted local transportation taxes and those which have not; and pro- and anti-growth factions. Lawmakers drafted follow-up legislation containing further compromises that had ended opposition from developers and apparently neutralized potential opposition from teachers.

The California Building Industry Association had opposed the transportation plan because it said the proposal would have placed too much responsibility for management of traffic congestion on developers.

The California Teachers Association was worried the proposal would erode voter guarantees won for schools in the 1988 Proposition 98, even though sponsor Bill Honig, the state schools chief, had announced support for Proposition 111.

Gann supporters have not formally opposed Proposition 111's loosening of his state government spending limit. Ted Costa, a spokesman for the organization founded by Gann, says Gann had not taken a formal position on the measure at the time of his death in September. Gann told the measure's authors that if they lowered the amount of the tax increase, he would not fight the proposal, according to Costa.

Transportation package supporters say there are good reasons for Gann supporters not to oppose Proposition 111. The Gann limit, though well intended and heavily supported when adopted in 1979, must be updated to make it more consistent with California's future growth, they say.

The Sierra Club wrestled with whether to oppose Proposition 111, but wound up voting to remain neutral. Despite the positive aspects of the measure, some local chapters oppose projects that would be funded by the proposal, club representatives say.

Despite the extensive compromises and balance in the plan, some Northern California lawmakers such as Senator Dan Boatwright, a Concord Democrat, say money from the gas-tax hike would be unfairly distributed. The legislators contend the north state would get less than it is promised under a continuation of the traditional split of 40 percent to Northern California and 60 percent to Southern California. Supporters counter that while Northern California would get less than 40 percent of the new highway funds, it would get more than 40 percent of the money earmarked for highway rehabilitation and maintenance.

The confusion with other transportation-related measures on the ballot and the complexity of Proposition 111 may, in itself, pose a challenge for supporters. Technically, the electorate will not be voting directly on the gas tax but rather on just one part of the overall transportation proposal, Senate Constitutional Amendment 1, now known as Proposition 111. The measure was placed on the ballot by the Legislature to amend the Gann spending limit and the Proposition 98 school-financing initiative, while excepting the increased gas tax from the spending limit.

The ballot proposal would change the spending limit by measuring annual growth in terms of personal income increases rather than using the federal consumer price index. Personal income is generally higher than the CPI and better reflects the state's economic growth. It also would adjust the limit for specific populations, such as school children, that grow faster than the state average.

Though supporters say the need to liberalize the spending limit goes beyond the transportation crisis, the vote likely will boil down to a referendum on the gas tax — California's "user fee," pay-as-you-go system.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The gas-tax increase, from nine to 18 cents per gallon over the next five years, is contained in one of five intricately linked transportation bills that together would raise the extra $18.5 billion over the next decade for clearly the most ambitious highway and rail construction program since the early 1960s. The tax would be increased by five cents per gallon on August 1, 1990, followed by additional annual penny-per-gallon increases for the next four years.

However, if Proposition 111 fails election day, all of the other transportation bills and the school finance overhaul would be voided.

Also part of the ballot, the transportation-improvement plan would raise commercial truck weight fees in two steps by a total of 54 percent, mandate lower administrative costs and so-called fast-track planning of state highway projects and impose an entirely new set of priorities and formulas for choosing which local projects get the new dollars.

Supporters say the plan would be the largest single transportation investment in state history, costing Californians an average of about 16 cents a day each. "The current nine cents buys less than the original tax of two cents [approved in 1923]. Due to better gas mileage, the average motorist pays $60 annually in gas taxes — the same as he or she did 20 years ago," says state transportation director Robert Best. California's gas tax is the fourth lowest in the nation.

The proposal would finance a detailed 10-year road and rail-construction program that provides a list of specific projects for every region of the state. Although the taxes and fees would extend permanently, the initial spending plan would cover 10 years.

SCA 1's author, Democratic state Senator John Garamendi of Walnut Grove, says, "Either we build and invest ... or we permit California to slide into an abyss from which we can never recover."

"This package of bills is going to make California a better place for everyone ... They go a long way to providing a vision for California in the 21st Century," adds Assemblyman Richard Katz, a Panorama City Democrat who heads the Assembly Transportation Committee and who was a principal author of the proposal.

Backers can draw on an array of statistics from various studies:

- California ranks 50th among all states in per-capita spending on highways; 13th on mass transit.
- While the capacity of our highway system increased by 4 percent over the past decade, our population increased 21 percent and the number of motor vehicles we own increased by 53 percent, to over 25 million.
- Travel slows to stop-and-go on about 300 miles of freeways during weekday rushes, giving the state the dubious distinction of having the most miles in the nation lost to congestion.
- Motorists waste over 400,000 hours daily due to the crush-time that, if they were instead at work earning money, would mean a $2.4 million daily boost to the California economy.
- By the year 2000, researchers say California's population is expected to increase 25 percent to about 33 million. The number of licensed drivers in the state is expected to rise by 18 percent, to nearly 21 million.
- At peak commute periods, the average speed on urban freeways now is about 23 miles per hour. By the turn of the century, with more people in more cars, that is expected to slow to 15 miles per hour or less.

Even as a bigger population places more demands on the state's transportation system, the rising cost of construction and land, especially in the cities, has made many proposed projects too expensive. The state that once built an annual average of 100 miles of new freeways during the mid-1960s is now adding just 10 miles a year to the system. Moreover, it costs more just to maintain aging freeways than it did to build them a few decades ago. The total annual bill for upkeep of California highways has risen to about $500 million.

Many mass-transit improvement projects are on hold or are stumbling along, while bus and train service has been reduced in many areas.

The struggle to improve the situation has been frustrated by the state's own spending limit and budget constraints affecting the federal government, on which California relies to pay the majority of all new construction.

State officials searching for a way out of the budget crunch had been looking primarily to increases of sales taxes in counties, establishing toll roads, creation of more developer fees, and hikes in fares. Indeed, local voters in 14 counties have authorized extra half- or full-penny taxes on the dollar for roads. The state also has resurrected concepts from the Jerry Brown era — ride sharing and staggered work hours.

But most agree much more is needed; something like Proposition 111.

If Proposition 111 passes, though it's been Deukmejian's gamble, it would be up to his successor to implement the plan since Deukmejian is not seeking re-election. Notably, none of the leading Democratic or Republican hopefuls are opposing Proposition 111.

If the measure fails, on the other hand, most political observers agree that despite transportation needs it would be a long, long time before somebody tosses the dice on a similar proposition.

Advertisement

The 6th Annual
Political Campaign Management
Summer Institute

July 13-15, 1990
at the University of California, Davis

Learn what it takes to win an election at the only university-sponsored campaign training program on the West Coast.

Topics include	**Speakers include**
★ Planning	Ed Costantini
★ Strategy	Murray Fishel
★ Field operations	Sidney Galanty
★ Message and media	Allan Hoffenblum
★ Direct mail	Kenneth L. Khachigian
★ Fund raising	Stephen Kinney
★ Polling	Lynn Randale
★ Current election issues	Larry Sheingold

For more information call (916) 757-8643, ext. 702.

University Extension
University of California, Davis

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Advertisement

SUCCESS STORIES

MEET GUADALUPE PENA

Guadalupe Pena is an only child, born in Bellflower to Mexican immigrant parents. She graduated from Cerritos College with an A.A. degree in American Literature.

Lupe's dream, however, was a career in broadcasting. While working as a clerk in a podiatrist's office, she worked as a newsperson, traffic reporter and Public Relations Director at KSKQ, a radio station in suburban Los Angeles.

Lupe realized that in order to advance further in the broadcasting field, she would need a formal education. She decided to attend Columbia School of Broadcasting.

Taking advantage of her bilingual skills, Lupe opted to enroll in Columbia's Radio Announcing Course in Spanish. After less than a year, Lupe graduated and was immediately employed by KLVE/KTNQ.

Recently, Lupe was named "Youngest Female Voice in Southern California for 1988" by *Spanish Radio and TV,* a prominent Latino trade publication. Lupe worked with the radio station to help the March of Dimes and several other charitable organizations with their fundraising events. She also hosted a telethon to help the earthquake victims in Guatemala.

Lupe not only realized her dream of becoming a broadcaster; she is helping make the world a little better through her enthusiastic involvement in community affairs.

Guadalupe Pena is a Success Story.

MEET DENISE HICKS

Denise Hicks is a California native, born and raised in the San Francisco Bay Area. Denise has had a life-long love of animals; between ages 5 and 18 she had 86 animals, including chickens, goats, lambs and horses.

Denise is a single mother with a 10-year-old son. When she divorced, she had no occupation. Denise decided to pursue her love for animals and took her first job at a veterinary hospital in Walnut Creek. Her starting salary was $4.10 per hour. From there, she went on to work in a small office for a board certified surgeon, specializing in small animals. She was earning $6.50 per hour.

Determined to continue her career working with animals, Denise decided to enroll at the San Leandro campus of Western Career College; however, the classes she needed were full. Without delay, she enrolled at the Sacramento campus in the Animal Health Technician's Program.

Denise commuted from Walnut Creek to Sacramento four days a week, in addition to working at an emergency clinic and a veterinary hospital on the weekends. Although this schedule was nearly impossible for a single mother, Denise's determination, along with financial aid through a Stafford Loan and the support of her family and friends, allowed her to follow through with her dream.

Today, Denise is working on her externship at UC Davis. She has been offered a job with a starting salary of $2000.00 per month, plus a medical plan, pension plan and other benefits. Denise and her son can now live comfortably for the rest of their lives.

Denise Hicks is a Success Story.

The members of the California Association of Private Post Secondary Schools provide educational and career opportunities for over 500,000 California men and women every year. CAPPS member schools help provide well-trained and knowledgeable employees for virtually every California industry.

9570 W. Pico Blvd., Suite 204, Los Angeles, CA 90035 (213) 553-8626

These success stories were published with the help of Columbia School of Broadcasting and Western Career College.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A CALIFORNIA JOURNAL ANALYSIS:

JUNE 1990 BALLOT PROPOSITIONS

REPRINTS

Additional copies of this ballot booklet are available at the following rates: 100 or more copies, 49 cents each; 50-99 copies, 78 cents each; 3-49 copies, $1.24 cents each; 1-2 copies, $2.25 each. Please add 6.75 percent sales tax plus $2.50 handling to all orders. Send your check or MasterCard or Visa number to: California Journal, 1714 Capitol Avenue, Sacramento, CA 95814.
COPYRIGHT 1990 BY CALIFORNIA JOURNAL, INC.

PROPOSITION NUMBERING

In 1983 the Legislature passed a law requiring that ballot measures be numbered consecutively from election to election, starting with November 1982. Previously, each election got its own set of proposition numbers starting with 1. But the system proved confusing. If you say "Proposition 13", do you mean the tax-cutting proposal of 1978 or the water-conservation proposal of 1982? Since 1982, 106 propositions have appeared on various ballots, thus the current crop begins with number 107. It will continue this way for 20 years, so the next Proposition 1 will be in 2002.

107 HOUSING AND HOMELESS BOND ACT OF 1990.

A proposal to sell $150 million in general obligation bonds to provide money for four state housing programs.

Background: The state runs a variety of housing programs to help meet the need for affordable housing. Most provide either low-interest-rate loans to home purchasers or grants to subsidize the construction or rehabilitation of low-income housing. In recent years, voters have approved a total of $450 million in general obligation bonds for these programs.

Proposal: Proposition 107 authorizes the state to sell $150 million in general-obligation bonds to provide funds for four state low-income housing programs. The $150 million would be divided among existing state programs as follows:

- Rental Housing Construction Program: $100 million for low-interest loans to construct affordable rental housing that will be occupied by low-income families;
- Home Purchase Assistance Program: $25 million to provide low-interest second mortgages. The program works in conjunction with two state programs providing low-interest first mortgages. The low-interest second mortages can be used to reduce payments on first mortgages for low- and moderate-income households;
- California Housing Rehabilitation Program: $15 million in loans for the purchase and rehabilitation of residential hotels, which typically rent rooms to low-income people;
- Emergency Shelter Program: $10 million in grants to purchase and repair emergency shelters for the homeless.

General-obligation bonds are backed by the state and repaid with money from the General Fund. The bond principal ($150 million) and interest ($145 million) would be repaid over a period of 20 years. Loan repayments would be used to finance additional loans.

Arguments for: Supporters include Senate President pro Tempore David Roberti, a Los Angeles Democrat; Vietnam Veterans of California; California Council of Churches; the Salvation Army; the Congress of California Seniors; and the California Homeless Coalition. They argue that Proposition 107 is a responsible and effective policy to help break the cycle of homelessness that affects all kinds of people, including the elderly, the handicapped, families, veterans and the mentally ill. Proponents argue that the common link among all these people is lack of affordable housing. The money raised from the sale of these bonds would provide 5560 emergency shelter beds; 612 rehabilitated, residential hotel units; 2000 rental units for low-income tenants and help for 1500 first-time homebuyers.

Argument against: Two Republican lawmakers — Assemblyman Philip Wyman of Tehachapi, and state Senator Bill Leonard of Redlands — argue that Proposition 107 is too much too soon. Projects based on bonds approved in 1988 are just getting underway, and it is too early to judge their effectiveness. Opponents maintain that the main causes of homelessness are mental illness and drug and alcohol abuse, which should be treated first, instead of providing low-income housing and shelters, which often become safe-houses for drug use.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

108 PASSENGER RAIL AND CLEAN AIR BOND ACT OF 1990.

A proposal to sell $1 billion in bonds to acquire rights-of-way and construct inter-city, commuter and mass-transit rail lines. Proposition 111 must also be passed for Proposition 108 to take effect.

Background: Passenger rail in California currently includes inter-city rail (between cities), commuter rail (during rush hour), and urban rail transit (service throughout the day). Operation and construction costs currently come from local, state and federal funds. In 1989 the state provided $20 million to support operational costs and $120 million for capital costs. (Money for capital costs came from the gas tax, truck-weight fees and a portion of the state sales tax.)

Proposal: Proposition 108 authorizes the state to sell $1 billion in general-obligation bonds to provide money for the construction of rail facilities and the purchase of trains. Proposition 108 would only take effect if Proposition 111 also passes. At least 15 percent of the total bond funds must be spent on inter-city rail. The rest must be spent on projects located in areas specified by the proposition — mostly in the San Francisco Bay area, metropolitan Southern California (including San Diego, Orange, Riverside and San Bernardino counties), and Sacramento. When interest charges on the bonds are included, Proposition 108 will cost taxpayers approximately $1.8 billion over the course of 20 years.

Argument for: Proponents of Proposition 108 include the California Association of Highway Patrolmen; California Chamber of Commerce; Assemblyman Jim Costa, a Fresno Democrat; Governor George Deukmejian; the California Taxpayers Association and state Treasurer Thomas Hayes. Proponents argue that Proposition 108 is an important part of the transportation blueprint outlined in Proposition 111. They add that because the two propositions are financed primarily by a gasoline-tax increase, the measures will provide cost-effective transportation, relief from traffic congestion, better air quality and energy savings.

Argument against: Opponents — including Republican Assemblymen Richard Mountjoy of Monrovia, Dennis Brown of Long Beach and Eric Seastrand of Salinas — argue that although the rail projects are worthy, they should not be funded by general-obligation bonds. General-obligation bonds are paid for by taxpayers, and their excessive use will hurt the future of the state and jeopardize other essential state programs. Rail projects should instead be financed by revenue bonds.

109 LEGISLATIVE DEADLINES.

A proposal to amend the state Constitution to give the governor more time to sign or veto a bill and change the effective date of legislation.

Background: When the Legislature passes a bill and sends it to the governor, the governor usually has 12 days to sign it, let it become law without his signature, or veto it. At the end of a two-year legislative session, when the Legislature typically has passed a large number of bills, the governor is allowed 30 days to make a decision. But at the end of the first year of the session, despite a large volume of bills, the governor currently is not allowed additional time.

Proposal: Proposition 109 would give the governor 30 days to decide on bills passed at the end of the first year of the legislative session. The proposition also contains a technical change altering when some bills take effect. The measure would have no direct fiscal impact on the state.

Arguments for: Supporters — including Governor George Deukmejian, Assembly Republican Richard Mountjoy and Senate Minority Leader Ken Maddy of Fresno — argue that the governor needs more time to carefully review the massive numbers of bills passed at the end of a legislative session's first year. The extra time would allow the public more time to make their opinions known to the governor.

Arguments against: Democratic Assemblyman Richard Floyd of Garden Grove, among others, argue that Proposition 109 will increase the "logjam" in the final days of the session. It will also increase the ability of the governor to hold secret meetings on the fate of important legislation.

110 PROPERTY TAX EXEMPTION FOR SEVERELY DISABLED PERSONS.

A proposed constitutional amendment to exempt severely disabled persons from property tax increases when they move into a new home.

Background: Local property taxes are based on each property's assessed value, which generally is fixed at the time the property is purchased. When someone buys a new home, the property is reassessed and the new owner must pay more taxes than the old one. Current law grants exceptions to this procedure, under some circumstances, for homeowners over the age of 55 who may transfer the assessed value of their old home to a replacement home without an increase in taxes, provided the new home is no more valuable than the old one. Usually the new home must be in the same county, although some counties have decided to extend the privilege to out-of-county residents on a reciprocal basis.

Proposal: This constitutional amendment would authorize the Legislature to allow severely disabled homeowners to transfer the assessed value of their homes in the same way allowed for homeowners over age 55. It would also exclude from reappraisal building improvements that make the home more usable by the disabled owner. The Legislative Analyst's office estimates the property tax revenue loss would be about $1 to 2 million per year. Cities, counties and special districts would bear two-thirds of the revenue loss.

Argument for: Democratic state Senators Bill Lockyer of Hayward and Ruben Ayala of San Bernardino argue that the exceptions to the tax increase are necessary to spare people who are forced to abandon or alter their homes from paying additional taxes. Allowing the disabled to remain independent and in their homes saves tax money that would otherwise be needed to support these people.

Argument against: There were no formal arguments against Proposition 110 filed with the secretary of state.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

111 TRAFFIC CONGESTION RELIEF AND SPENDING LIMITATION ACT OF 1990.

A proposed constitutional amendment to change the existing spending limit on state and local government and provide for an increase in gasoline taxes to pay for highway and transit construction projects. This measure must pass for Proposition 108 to take effect.

Background: The California Constitution limits the amount of tax revenues the state and most local governments can collect each year. This limit was established when voters approved Proposition 4 in 1978 (the Gann limit). However, the limit does not apply to non-tax revenue, such as user fees, or to debt authorized by the voters. The limit increases according to a formula based on population and a cost-of-living index.

When local revenues exceed the limit, the excess is returned to taxpayers. At the state level, excess money first goes to schools and community colleges thanks to a formula adjustment passed by voters in 1988 as Proposition 98. Money above the Proposition 98 requirement is rebated to taxpayers. Proposition 98 also mandated a minimum level of funding for grade school and community colleges; the level is based on the higher of either the percentage-of-revenues coming into the state (41 percent of the General Fund) or the maintenance-of-effort (prior years funding adjusted for increased enrollment and higher cost-of-living). The state also collects a nine-cents-per-gallon tax on gasoline which must be used for transportation and is subject to the appropriations limit.

Proposition 111 was developed by the Legislature in 1989 (SCA 1) when lawmakers were faced with substantial reductions in service levels of state programs because of a shortage of state money. The state's highway construction program has nearly halted because of a lack of gasoline-tax money.

Proposal: This measure revises the way the state calculates its spending limit. The net effect, according to the Legislative Analyst's office, will be to allow the state to spend about $800 million more in the upcoming fiscal year, with unknown effects in future years. The major change will be to alter the way the revenue limit is determined. The formula will no longer be based on cost-of-living increases but on the increase in the state's *per capita* income because the overall state economy has been growing faster than the cost-of-living. The way the population increase is calculated will also be changed to allow for increases in high-service populations such as schools. Local governments will also be able to use this formula or substitute increases in non-residential new construction if that rate is increasing faster than the population. Schools will continue to use attendance figures. In addition some spending now included under the limit will be excluded, including for transportation, for meeting the cost of natural disasters of for qualified capital-outlay projects.

This measure also makes changes in determining the minimum funding guarantee for public schools and community colleges. It would keep the base funding level intact but eliminate provisions that require revenues in excess of the limit to go to schools. The proposition alters the formula used to calculate the minimum guarantee of what goes to schools. Ultimately, the schools will continue to be guaranteed about 40 percent of the state's budget but will no longer receive all money collected in excess of the state's revenue limits. The measure also allows for reduction of the school's minimum-funding guarantee in low-revenue-growth years, but argues that it eventually be restored. Excess revenues which go to schools cannot be used to figure future funding guarantees.

Finally, the proposition would increase the cents-per-gallon tax on gasoline by five cents-per-gallon in the first year and add an additional cent until the increase totals nine cents-per-gallon, increase truck weight fees and allow Proposition 108 (if passed) to take effect.

Argument for: Proponents include Governor George Deukmejian, the League of Women Voters, the California Association of Highway Patrolmen, the California Chamber of Commerce, the California Taxpayers' Association, American Association of Retired Persons and Democratic state Senator John Garamendi of Walnut Grove. They argue that Proposition 111 is necessary to pay for a comprehensive traffic-congestion-relief program that includes road maintenance, completion of highway projects, rail-transit systems, improvement of traffic flow, and a reduction of air pollution. It is right that the users of the highway system should finance its improvement, proponents argue. They also argue that the changes in state revenue limits are necessary to allow state and local governmental units to grow with the economy and allow the state to spend the money raised by the gasoline-tax increases.

Argument against: Opponents to Proposition 111, including GOP Assemblyman Richard Mountjoy; economist Arthur Laffer; and Los Angeles County Supervisor Pete Schabarum, argue that although transportation problems need to be addressed, Proposition 111 is not the right method. Revising the spending limit and approving a gas-tax hike opens the door for future tax increases. Proposition 111 guts the Gann limit imposed by voters in 1979, opponents say.

Have You Read Your Bible This Month?

California's "political bible," *California Journal* has provided reliable, inside information on California politics, issues and personalities monthly for 20 years. Each issue provides in-depth coverage of major issues in the nation's largest state, and analyses of the Why and How of current state affairs.

In addition to in-depth articles, regular features include:
- —Voting records of the Senate and Assembly;
- —Report from our Washington correspondent;
- —The popular Up Front collection of humor and gossip;
- —Status of initiatives and referenda;
- —Special booklets at no extra charge: Roster & Government Guide; Ballot Proposition Analyses

All of this is yours for only $32.00 per year.

GUARANTEE: If you are not completely satisfied, you may cancel your subscription at any time and receive a refund on the unmailed copies. Call 916/444-2840 to order your subscription or write: California Journal, 1714 Capitol Ave., Sacramento, CA 95814.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

112 STATE OFFICIALS. ETHICS.

A proposed constitutional amendment to create a commission to set the salaries of legislators and state constitutional officers and enact ethics reform laws.

Background: Currently, the California Constitution requires the Legislature to enact laws prohibiting its members from engaging in activities or having interests which conflict with the proper discharge of their duties and responsibilities. Statutes generally require legislative proceedings to be open to the public, with some exceptions. In addition, the compensation of all elected state officers is established by statute. Increases of no more than 5 percent may or may not be granted each year. Current legislative salaries are about $40,000 per year, but they also receive close to $20,000 per year in tax-free "per diem" payments.

Proposition 112 was prompted by several incidents and practices which have tarnished the Legislature's image in recent years, including an FBI "sting" operation which resulted in the conviction of at least one lawmaker — state Senator Joseph Montoya — on charges of corruption, the widespread use of honoraria and gifts to attempt to sway lawmakers' votes, and the public perception that the Legislature as an institution has been corrupted by special-interest money.

Proposal: Proposition 112 would prohibit speaking fees (honoraria) for elected officials and limit gifts to those officials should the gift create a potential conflict-of-interest. State elected officials could not lobby before most state agencies but could continue to lobby local-government agencies. It would prohibit legislators from becoming lobbyists for one year after leaving office. This amendment also mandates that all legislative sessions be open to the public except in specific cases, such as the appointment or dismissal of public officers. Proposition 112 eliminates the current cap on salaries for legislators and statewide officials and instead establishes the California Citizens Compensation Commission, composed of various appointees from the private and public sectors, which would establish annual salary and insurance benefits for the state officers. The presumption is this commission would set new, higher salaries that would take effect for officials beginning in December 1990.

Argument for: This measure was put on the ballot by the Legislature, and proponents include Senate President pro Tempore David Roberti, California Common Cause, the California Chamber of Commerce, and the League of Women Voters of California. They argue that Proposition 112 reduces the unsavory influence of special interests by prohibiting the acceptance of honoraria and high-value gifts. They argue that conflicts-of-interest would be averted by disallowing state officers and legislators from receiving compensation from lobbyists or state agencies. The Legislature is currently in the process of passing statutes that implement some of the provisions on this amendment.

Arguments against: The opposition includes Democratic Senator Diane Watson of Los Angeles and Republican Assemblymen Richard Mountjoy and Phillip Wyman. They argue that Proposition 112 is really a legislative pay raise disguised as an ethics-reform measure. The opposition considers the existing 5 percent limitation on pay increases as an equitable check upon legislative excess. They also note that Proposition 112 repeals this limit and places the salary-determining power within the hands of an unelected body. Opponents note that the Legislature already possesses the authority to curb unethical practices, and has done so in the past.

113 CHIROPRACTIC PRACTICE.

A legislative measure to amend the Chiropractic Act to allow for annual license renewal during the licensee's month of birth. It also increases existing penalties for violations of the Chiropractic laws.

Background: The State Board of Chiropractic Examiners licenses and regulates chiropractors in California. To be licensed, a chiropractor must pass an established examination and pay annual license fees which are due by January 1st of each year. A violation of the Board's regulations is considered a misdemeanor and is punishable by fines of $50 to $200 and/or by prison sentences of 30 to 90 days.

Proposal: Proposition 113 would amend the Chiropractic Act of 1922 by changing the license renewal date from January 1st to the last day of each licensee's birth month. This amendment would also strengthen existing punishments by raising the fines to a range of $200 to $750. The maximum jail term for violators would be increased to a period of six months.

Argument for: Listed proponents include Senator Herschel Rosenthal, a Los Angeles Democrat. He argues that Proposition 113 would allow staggering of license renewal times throughout the year and ease the burden on the Board of Chiropractic Examiners. The increased penalties are supported by the fact that existing penalties have not been raised since 1922.

Argument Against: No official argument was filed opposing Proposition 113. The passage of this act would entail minor, one-time costs of implementation for the State Board of Chiropractic Examiners Fund.

114 MURDER OF A PEACE OFFICER.

A legislative amendment to expand the legal definition of "peace officer" for cases involving first-degree murder which are subject to the death penalty.

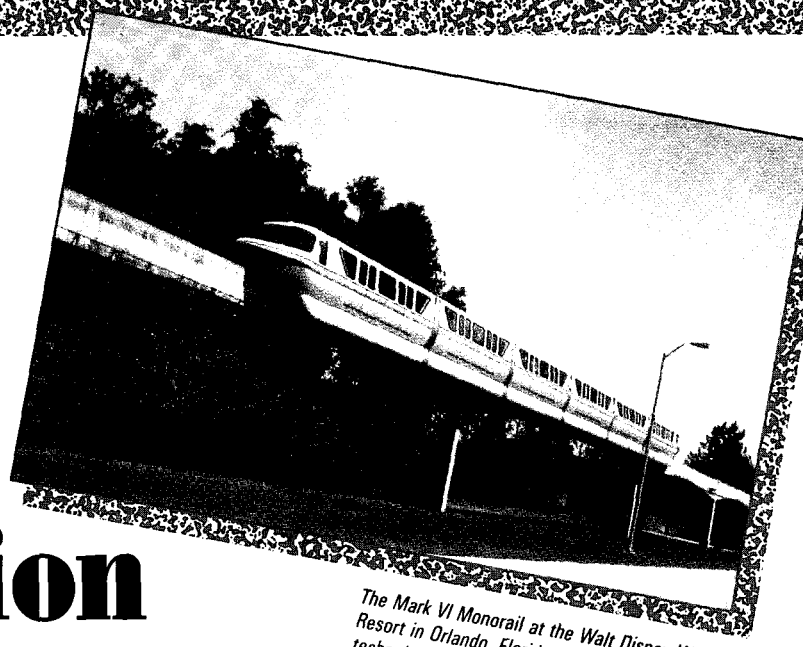
Background: In 1978 the Death Penalty Initiative broadened existing laws by expanding the number of circumstances under which the death penalty may be imposed. Included among these circumstances was the first-degree murder of certain officials who were designated by the Penal Code as "peace officers." Since 1978 the state Legislature has amended the Penal Code so that additional classifications have been added to the peace officers category.

Proposal: Proposition 114 conforms the definition of peace officers in death-penalty cases with other state laws defining peace officers. It thereby increases the number and types of peace officers covered by the Death Penalty Initiative.

Argument for: Listed proponents include Democratic Senator Robert Presley of Riverside and Democratic Assemblyman Willard Murray of Los Angeles. In addition to police officers and sheriffs' deputies, they argue that certain investigators (of white-collar crime) should be considered peace officers because of the valuable services they provide.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

How Do You Spell California Transportation Relief?



The Mark VI Monorail at the Walt Disney World Resort in Orlando, Florida. This is the same technology proposed for the main line system in Irvine and in Central Orange County.

C•A•N•A•D•A

You can't get there from here.

That punchline from a turn-of-the-century vaudeville routine was intended as comedy. But it may turn out to be the bitter reality of the 1990s in California unless we act quickly to build a balanced, integrated ground transportation system.

During the wild growth years following World War II, Californians — both newcomers and natives — were certain that the automobile was the key to solving their mobility needs, especially in the rapidly expanding south. We were shown a master plan which promised a statewide network of carefully engineered freeways which, when completed, would connect every city and town. Urban freeways would criss-cross major metropolitan areas, wisking commuters to work with minimal congestion while providing 65 mph travel outside of rush hour. Rail transit wasn't even part of the equation and those needing public transportation would, we were told, be satisfied to take buses confined to crowded city streets.

But as the decades passed it became obvious that, despite all the money and preferential treatment we showered on the automobile, many of the early assumptions were terribly wrong. The population — and the cars which came with them — increased at a rate much faster than anyone had anticipated, causing travel times to increase dramatically. Air pollution became unmanageable in Los Angeles and elsewhere while urban sprawl outpaced our ability to build new highways. And, perhaps worst of all, a citizen revolt had stopped the master plan in its tracks, refusing to allow any more neighborhoods to be bulldozed into ten lanes of concrete. Those freeways which were built have become jammed virtually all day long in many places with congestion costing motorists $17 billion each year in lost time and higher operating costs. As the 1980s ended, a severe shortage of money slowed the state's modest plans to expand the capacity of our increasingly overburdened highway system and experts began warning of economic and environmental catastrophe unless something was done to move people more efficiently.

While all of this was happening, public transit was struggling for funding and suffering from a lack of coordination at both the state and local levels. Although ridership was growing in some cities, automobile use was increasing faster, slowing the buses and creating even greater disincentives to motorists who might want to abandon their cars. And there was continuing resistance to rail transit well into the 1980s, especially in Southern California. Notable exceptions occurred in San Francisco with the construction of BART and the city's light rail Muni Metro.

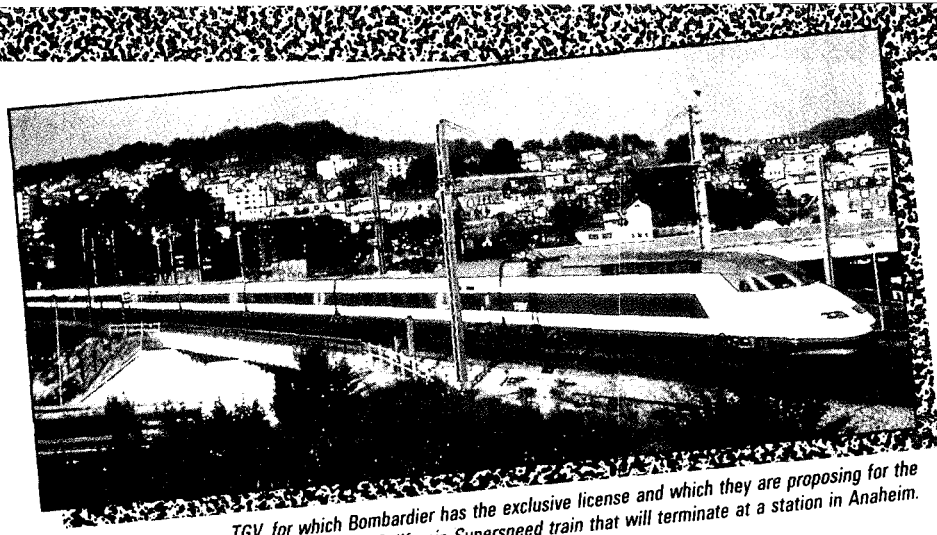
During the 80s both the Reagan and Deukmejian administrations strongly opposed operating subsidies for mass transportation and funding for construction of proposed new rapid transit lines in Los Angeles, San Francisco, San Diego, San Jose and Sacramento. Congress restored some of Reagan's proposed cuts in capital spending but it was still far below what was needed. Local money, raised mainly through voter-approved half-cent sales tax increases, helped make up for the loss of state and federal cash but the resulting delays in constructing new rail lines cost millions of dollars while air pollution and traffic congestion relentlessly increased. Although these projects are now either completed or underway, the agencies building them were often forced to take shortcuts which have turned out to be unproductive in the long run because they reduced operating flexibility and the ultimate level of service which can be offered.

But this June, if Californians approve the first of a series of bond issues which could pump over $20 billion into the public transportation infrastructure, all of that will change. While the transportation package will appear on the primary ballot includes about $5.5-billion for rail projects, it will principally fund the construction of new roads and pay for repairs to badly deteriorated pavement and bridges. These improvements, along with more effective traffic management, are vitally needed since the automobile will remain the primary means of transportation for most of us. But more traffic lanes are certainly not the single solution to horrendous traffic jams and choking smog. Significant numbers of commuters must leave their cars at home and switch to mass transit and here's where expertise and technology from Canada can help us utilize the billions in bond money more efficiently to obtain the most benefit for both motorists and transit riders.

Unlike Californians, Canadians have been given incentives to leave their cars at home, at least for the commute to work. The country's major urban areas have developed coordinated public transport networks utilizing a whole range of options encompassing everything from traditional buses to exotic, fully automated rail rapid transit systems. And Canadian industry, as part of a team effort which includes government, has responded by creating the technology and production capacity to meet this need.

Toronto unquestionably epitomizes both the philosophical and technological leadership of mass transit in North America. Repeatedly chosen as having one of the world's best systems, the Toronto Transit Commission markets its product as the preferred socially acceptable mode of travel. Realizing that it's in direct competition with the auto, TTC operates a fleet of clean, safe and well-maintained diesel buses, electric trolley-buses, subway cars and light rail vehicles over a unified route matrix designed for the convenience of passengers

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



TGV, for which Bombardier has the exclusive license and which they are proposing for the Nevada to California Superspeed train that will terminate at a station in Anaheim.

With the highest per capita ridership in the U.S. or Canada, Toronto proves that a unified approach works. Officials from transit authorities worldwide have made pilgrimages to the Ontario city, wanting to transfer this proficiency back home. The requests became so numerous that, in 1981, TTC established Toronto Transit Consultants Ltd., a subsidiary which is able to draw upon a technical and professional team which has a half century of experience. TTCL has already participated in several California rapid transit projects, including the Blue Line in Los Angeles, and is ready to offer its help on any type of problem. Since virtually every kind of transit vehicle is utilized in Toronto, TTCL is uniquely equipped to deal with the varied situations faced by California cities trying to shift people from the roads to public transportation. The consultants can offer advice about such basic matters as policy development, corporate structure and fiscal planning before determining which type of route structure and vehicle would best serve a given area. And its organizational expertise could assist cities now bogged down with internecine battles between competing transit bureaucracies. Toronto, like Los Angeles and San Francisco, has independent transit agencies which operate surburban bus and commuter rail systems, yet they function as a coordinated whole with the city system.

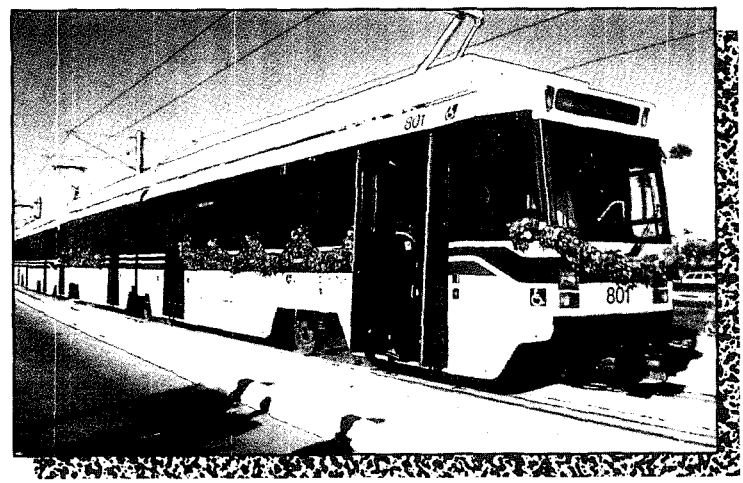
TTC has also established the Transit Institute which offers intensive, week-long training programs for industry professionals seeking to learn innovative and cost effective management techniques. Jerry M. Givens of the L.A. County Transportation Commission called it ". . . a superb training program. The results clearly reflect the vigor and foresight of TTC management."

Toronto's first subway — about the length of the initial Metro Rail segment in Los Angeles — opened 36 years ago and has been expanding steadily ever since, today totaling over 40 miles. Thus, TTCL can handle all aspects of rapid transit design, construction, implementation and marketing for many types of rail systems.

Another part of this finely-tuned mechanism is GO Transit the surburban commuter rail and bus network which complements — but does not compete with — TTC. Its gleaming green-and-white double-deck trains carry well over 100,000 daily passengers from communities up to 55 miles from the city. Like TTC, it recovers a high proportion of its operating revenue from fares and follows a management theory which provides the best service at the lowest cost. It could well be the model for commuter rail proposals now being discussed in San Francisco's east bay, San Diego and the five-county area around Los Angeles.

With experts predicting that traffic congestion in most California cities could double or even triple by the turn of the century, high capacity commuter trains have the greatest potential for reducing freeway congestion at the lowest cost. They would be hauled by conventional diesel locomotives along existing railroad rights-of-way, virtually eliminating the need for costly construction or the condemnation of homes or businesses. Stations would be simple and inexpensive and the equipment could be proven, off-the-shelf products from two experienced Canadian manufacturers, UTDC or Bombardier, whose computer rail equipment is already carrying millions of passengers annually in the U.S.

When south Florida's new three-county, 67-mile Tri-Rail commuter line needed equipment last year, it turned to UTDC, which had already supplied over 200 bi-level cars in Toronto. These smooth, comfortable 162-seat vehicles were delivered in record time and have been providing Tri-Rail with reliable service ever since. The Los Angeles County Transportation Commission has already specified double-deck cars for its first commuter line from San Bernardino, which is expected to be operational within two years. Negotiations for the purchase of



The Santa Clara (California ALRV, built by UTDC, provi rapid streetcar transit betw south-county residential communities and the high-t industries of Silicon Valley the north. The central part the 32 kilometre (20 mile) serves the 14-block San Jo Transit Mall, the hub of the city's new downtown sectio

up to 80 cars and 22 locomotives has already begun. LACTC's long range plan calls for an extensive network of commuter lines which will ultimately encompass Orange, Ventura and Riverside counties. Both UTDC and Bombardier, which has sold electrically-powered double deckers to Chicago's Metra commuter rail networks, are well-equipped to supply equipment for what promises to be an intensively used service and both are actively seeking the Los Angeles order.

San Diego's Metopolitan Transit Development Board is also aiming at early implementation of its planned commuter rail line to Oceanside while northern California officials are proposing a new service which would connect San Jose with communities along the east bay, possibly reaching as far north as Sacramento. Some of these lines may be better suited for single-level cars, the traditional high-density commuter coaches used in the eastern U.S. Bombardier, North America's largest supplier of rail passenger vehicles, has built over 500 of these economical, aluminum-bodied vehicles, many of them at its U.S. assembly plant in Barre, VT. Among its customers are New Jersey Transit, the Philadelphia suburban transit system and Boston's Massachusetts Bay Transportation Authority, the latter giving the company three orders for a total of 147 cars. According to MBTA spokesman Peter Dimond, they are ". . . performing very well and are helping to provide good, reliable service for our riders." The firm has also provided 104 intercity coaches to Amtrak, some of which are running in California on the popular San Joaquin Valley service. More may soon be needed if voters approve the $1.99 billion Clean Air and Rail Transportation Act, one of the bond issues appearing on the June ballot. It would provide funding for a massive expansion of passenger rail service throughout the state and would allocate $100 million for the purchase of standard design rail cars.

But Bombardier's interest in inter-city travel goes far beyond conventional equipment. The firm is one of three consortiums which have filed letters of intent to build and operate a privately financed super speed rail line from Southern California to Las Vegas. Bombardier has exclusive rights to France's high speed system known as TGV which, unlike its competitors, runs on standard gauge tracks and could be extended north and south along existing railways from the proposed Anaheim terminal. In addition, the tracks could handle commuter rail service between communities in Orange, Riverside and San Bernardino counties. TGV has been proven in Europe during nearly ten years of daily 180 mph operation. Within a few years these trains will be hurtling through a tunnel under the English Channel, providing a 2½-hour connection between Paris and London.

Bombardier's basic expertise also includes urban rail transportation. It built 26 light rail cars for Portland, Oregon's highly popular Metropolitan Area Express (MAX) and local officials credit these vehicles for much of the line's success in attracting far more riders than originally anticipated. But for cities needing high capacity equipment, the Quebec-based firm offers two categories of subway car —rubber tire and steel wheel. It has manufactured 825 of the latter type for the demanding New York City Transit Authority, the largest order ever awarded by the agency. The New York Times described these sleek, stainless steel cars as quiet, comfortable and a significant improvement over previous equipment. And, last December, Bombardier won a $19.5-million contract to build aa prototype advanced technology subway train for NYCTA which will be the model for its next generation of rail equipment.

The company has built over 400 cars for the world-renowned Montreal Metro, which blends esthetically

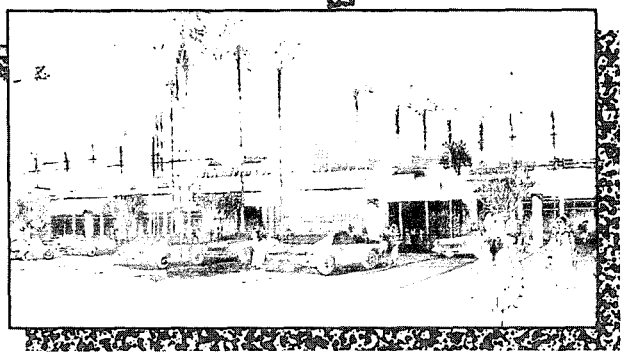
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ealing stations with a funct onally efficient transit work. Although the tunnels were built close to the face as an economy measure, nearby buildings are ilated from vibration because the trains run on ogen filled rubber tires. The concept, first utilized in is, has also been successfully transplanted to Mexico 's nine-line Metro. Here, the most intensively-worked way in the world carries over 5.2-million passengers h day, many of them in Bombardier-built cars. "Technology for tomorrow's transportation" is how nbardier describes monorail, its newest venture ered through a wholly-owned subsidiary, The Transtation Group, Inc. According to TGI president Thomas Stone, the company can provide proven monorail tems which are economical to build and operate. ly technical problems which had stymied their

with quiet, rubber-tired trains which have a top speed of 55 mph and meet or exceed all safety and flammability standards. They can operate on the surface, in a subway or on lightweight elevated structures which are only 26" wide. The Series XM is similar but faster and has a higher passenger carrying capacity. According to TGI spokesman Francois Badeau, the Orange County project ". . . could be an example for the rest of the country . . . (and) we really feel it's a solution for the new urban city."

TGI's UM series monorail is primarily designed for circulation, distribution and feeder applications. Already proven in 10 U.S. installations, it has been chosen by McDonnell Douglas Realty to connect its new Irvine office complex with nearby John Wayne Airport. Serious discussions are currently underway on extending this

Artist rendering of station at John Wayne Airport.



Robert Young, President of McDonnell Douglas Realty Co., center, surrounded by the Orange County Board of Supervisors on the night they approved the John Wayne Airport monorail last fall.

velopment have long since been solved and this tomated and environmentally friendly system can now et a variety of transportation needs. That versatility, d a 21st century image, has prompted Orange County icials to begin seriously exploring monorail as one ution to the area's increasingly disruptive traffic ngestion. Both Santa Ana and Irvine have commisned preliminary studies to determine if a monorail uld be feasible to connect the County's major employnt, shopping, recreation and transportation hubs.

"It's an idea whose time has come," said Santa Ana ayor Daniel H. Young. "If we don't do something like s soon, we're all going to face miserable times with dlock down the road." Up to now rail transit has ceived a cool reception in the County, but enthusiastic pport for the monorail concept has been voiced by city icials in Anaheim, Costa Mesa, Fullerton, Huntington ach, Irvine and Orange. Young foresees an 18-mile re line which could be operational within five years. It uld be built and operated by the private sector, hough some public funding is anticipated. Little or no perty would have to be acquired since the elevated norail would be built over existing streets. Elected icials have already held a number of meetings aimed developing a coordinated strategy to implement the posal.

The latest version of TGI's Series M would be a likely ndidate for Orange County. It's now in operation at lt Disney World in Florida but has little in common h the amusement park ride most of us saw at Disneyd years ago. This sophisticated, medium capacity nsit system can supplant conventional rapid transit privately financed line to other nearby office and shopping centers as a traffic mitigation measure. Meanwhile, McDonnell Douglas Realty has also proposed a monorail loop for Long Beach to connect the Queen Mary, where the Disney organization is considering construction of a new theme park, with the city's downtown redevelopment district, civic center and the new light rail line to Los Angeles.

Now called the Blue Line, the L.A.-Long Beach route is the first element in the County Transportation Commission's planned network of electrically powered, surface rail projects. The second link, dubbed the Green Line, is already under construction between Norwalk and El Segundo in the median of the future Century Freeway and will open in 1994. Unlike the Blue Line, it will be fully automated and is a prime candidate for Advanced Light Rapid Transit, which was developed and refined in Canada by UTDC. ALRT is a combination of both conventional and futuristic technology utilizing the quiet Linear Induction Motor, a new type of propulsion which eliminates the need for major moving parts such as gears and transmissions.

ALRT lines are now operating in Detroit and Toronto but the longest installation is Vancouver, B.C.'s SkyTrain, where an initial 12-mile segment opened in early 1986. Its high speed driverless trains, built by UTDC, carried nearly 33-million passengers the first year, many of them visitors to the city's popular Expo 86. Now transporting an average of 75,000 passengers each day, SkyTrain has been the catalyst for billions of dollars in new commercial development. A 1.8-mile extension across the Frazer River to Surrey which opened in March is expected to significantly increase ridership.

SkyTrain's reliability is due in large part of Seltrac, a computer-based control system from Alcatel Canada, Inc. which automatically keeps trains a safe distance apart throughout the system. It has the flexibility to adjust service to ridership needs by adding or removing cars as required. In addition, trains can be programmed to operate just 60 seconds apart, so as patronage increases the system's capacity can be expanded simply by purchasing more cars.

Members of the L.A. County Transportation Commission have seen SkyTrain and were impressed with its efficiency and excellent safety record. UTDC is proposing an upgraded version of ALRT for the Green Line with longer cars and overhead power collection, allowing access to the existing central maintenance facility. The Blue Line's simple, unmanned stations and self-service fare collection would be retained, thus further reducing costs.

UTDC also builds standard rail transit equipment. Here in California, it provided 50 articulated cars for San Jose's growing light rail line. Santa Clara County Transit District officials said the cars have been reliable and easy to maintain while passengers have been impressed with their comfort. In Toronto, the firm has delivered nearly 250 light rail vehicles and some 600 advanced design subway cars to the TTC. And UDTC has sold 248 subway cars to Boston, virtually re-equipping three of its lines.

But even after the state's ambitious rail construction program has been completed, the automobile will continue to be the transport mode of choice for a majority of people. And buses will be the vehicle most used by transit riders. Millions of Californians now ride the bus every day — 1.5 million just in Los Angeles County. Each year local transit operators purchase hundreds of new buses, many of them from Canada's four respected bus manufacturers whose reputation for quality and after-sales service is well known in the industry.

The country's largest bus producer is Motor Coach Industries, which manufactures transit, suburban and intercity coaches at plants in two Canadian provinces and at a facility in Pembina, ND. Body shells and frames for MCI's full line of highway cruisers — two- and three-axle buses specifically designed for long haul and commuter runs — are made in Winnipeg, Manitoba, then shipped to Pembina for installation of U.S.-made drive trains and other components. The company is a major supplier for Greyhound of Canada as well as many regional carriers on both sides of the border who have found these big vehicles to be comfortable and popular with their passengers. Many operators outfit their coaches with luxury touches such as food service galleys and video entertainment systems, ahieving a level of comfort previously unknown in bus travel.

Similar options are also specified by many firms using MCI coaches in commuter service from outlying suburbs to city centers. Unlike city transit buses converted to suburban use, these 43-49 seat coaches were designed from the wheels up to provide a smooth ride in oversize reclining seats. But they furnish more than just transportation. For example, cellular telephones have been installed for the use of passengers whose work can't wait until they reach the office. Another MCI option is a 29-seat executive coach which can be offered to commuters as a premium-priced service. With affordable housing being built ever farther from urban job centers, a long commute becomes more bearable in a luxury motor coach and more service of this type must be offered if Californians are going to be weaned away from their cars.

MCI's transit division, Les Autobus MCI, is headquartered in St. Eustache, Quebec. Here it turns out the Classic, the lightest weight standard city bus available in North America. Its 11 percent saving in weight trans-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

lates into a six percent increase in fuel economy. As MCI regional sales manager Robert Irvin points out, each vehicle represents a true partnership between the U.S. and Canada since many components — including the diesel engine and transmission — come from America. And, since all buses destined for the U.S. are assembled in North Dakota, they easily meet the "Buy America" provisions of federal law.

Irwin is proud of his firm's emphasis on personalized customer attention at all stages of the transaction from the initial sale to service after delivery. This has undoubtedly led to many repeat orders from such operators as Santa Monica Municipal Bus Lines, which has 20 Classics in service and 10 more on order. However, when purchases of an earlier Classic design are included, virtually all of Santa Monica's 120 bus active fleet is Canadian made. Other recent orders include 350 vehicles for suburban service into New York City, 168 for Salt Lake City, 185 for Detroit and 132 buses for Connecticut Transit. The suburban versions have deeply upholstered, high-back reclining seats with individual reading lights.

With tougher EPA standards for diesel engines due in less than two years, MCI is now offering buses with alternate fuel engines. It has already delivered its first unit running on methanol which, it is hoped, will help clear the air in California's smog-choked cities.

Ontario Bus Industries has taken a different direction in trying to help solve the clean air crisis. It has opted to power its experimental engines with compressed natural gas, a fuel which is readily available in large quantities in California. According to OBI vice president Peter Bigwood, ". . . from the point of view of emissions, natural gas offers the best solution. From a performance point of view, there is every indication they will be superior to diesels." OBI has delivered two of its CNG-powered transit buses to Command Bus Lines in Brooklyn, NY and they've already exceeded the standards set for 1991 by the U.S. Clean Air Act. OBI is now building a fleet of 50 CNG buses for delivery to three Canadian cities this summer and several California transit agencies will soon be in the market for similar vehicles.

But OBI's bread and butter is a line of diesel-powered city buses produced in Mississauga, near Toronto, and in upstate New York at a plant owned by OBI subsidiary Bus Industries of America. The Orion I is built in three lengths: 30 ft., 35 ft. and the standard 40 ft. The frames and body shells are made in Canada, then shipped some 300 miles to Oriskany, NY where such U.S.-produced components as the power train, axles, seats and windows area fitted. The vehicles are then delivered to customers both north and south of the border. Hundreds of Orions now provide the bulk of transit service in dozens of American cities from Pt. Barrow, Alaska to Key West, Florida. California cities operating Orions include San Diego, Torrance, San Luis Obispo and Eureka while 58 more are on order for Bakersfield and San Francisco. A new model, the Orion V, is just going into production which closely resembles the Orion I but is 102 in. wide rather than 96 in. The firm's third product is the Orion II, a highly accessible, low-floor bus designed to transport handicapped people without the use of expensive wheelchair lifts. This front-wheel drive vehicle comes in two lengths: 21 ft. and 25 ft., and is easy to maintain since the entire engine/transmission package is built over the front axle and can be detached in less than an hour. The Toronto Transit Commission operates its popular Wheel-Trans service with 123 Orion IIs and another 30 are running in Petaluma, Santa Rosa and Stockton, California.

Another major supplier of heavy duty Canadian buses is New Flyer Industries of Winnipeg, Manitoba, which sells 90 percent of its output to the U.S. Using a family of interchangeable components, New Flyer manufacturers a recently restyled line of 35 ft., 40 ft. and articulated 60 ft. transit buses. Built in Winnipeg and

GO Transit MCI bus.

finished in North Dakota, the American-made content of these vehicles exceeds 60 percent and hundreds of them are now on the road in California. Operators include San Mateo County, Oakland's AC Transit, and the city of Torrance. The San Francisco Municipal Railway, which bought 180 Flyers in 1984, came back for another 106 two years ago. "I have yet to see a bus which can compare to these New Flyer buses," said Municipal Railway Director of Marketing Jamie Levin. He said the company worked closely with Railway officials to make certain its buses would meet several unique specifications including wider doors and larger windows. Levin said the firm is now a top contender for 50-60 articulated trolleybuses for San Francisco's continually expanding electric bus network. Flyer supplied nearly 350 of these quiet, pollution-free coaches to San Francisco some 15 years ago and they've proven to be an efficient alternative to diesel buses, especially on routes with heavy ridership in the city's hilly areas.

Prevost Car, Inc. of St. Claire, Quebec has been in the bus business since 1924 when it began buiding wooden bodies. By 1947 it was manufacturing complete buses and today produces a full line of coaches for touring, intercity transportation and suburban commuter work. The latter category will become increasingly important in California's urban areas as more commuters decide to forgo the daily freeway battle in their cars and switch to luxury buses. Prevost believes its 60 ft. articulated coach, the H5-60, is best equipped for these runs because it can carry up to 72 passengers in a comfor able, stress-free environment. Prevost's 40 ft. coache can also be configured for suburban work but they're primarily used by tour operators and for luxury intercit travel — an attractive alternative to driving. The buse kneel in front to make boarding easier and feature er nomically designed reclining seats. They can be equip with galleys serving hot and cold food and drinks as well as a video movie system, all of which helps to make short work of a long trip. With traffic increasing California's many tourist attractions, it makes more sense to visit these places with a group instead of fighting traffic and parking problems. Prevost offers it new H3-40, Le Mirage and XL models to tour operato whose customers are increasingly demanding more comfort and style on the open road.

The next decade offers us an opportunity to find cr tive solutions to California's traffic problems but we must use every resource available. The expertise and transportation equipment available now from Canada should be in the forefront of that effort.

Julian Wolinsky lives in Los Angeles and writes on transportation for publications in the U.S., Canada an Europe.

Canada

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Argument against: Formal opposition to Proposition 114 is made by the Libertarian Party. Its representatives argue that Proposition 114 violates individual rights by valuing the lives of certain public officials above those of private citizens. The granting of the death penalty, they argue, should depend upon the nature of the crime and not the identity of the victim

115 CRIMINAL LAW.

A proposed constitutional amendment and statute to limit the constitutional rights of accused criminals to those stipulated by the federal Constitution and to change court procedures used in criminal cases and to increase penalties for some crimes.

Background: The rights of persons accused of crimes are guaranteed by both the federal and state constitutions. The state Supreme Court has interpreted the state Constitution to give accused persons somewhat greater rights than those granted in the federal courts. Specifically, the state Constitution includes a right to privacy that is not explicitly found in the U.S. Constitution. In addition, state law establishes the procedures to be used in criminal trials, including the use of preliminary hearings and allowing attorneys to directly question prospective jurors. State law also defines first-degree murder to include killings which are deliberate, take place as part of the commission of another crime or involve torture, poison or some other device. First-degree murder usually is punished by life imprisonment with the possibility of parole. However, if "special circumstances" are found, it can be punished by life imprisonment without parole or by death. These latter sentences cannot be imposed on minors, 16 or 17, who are tried as adults.

Proposal: This initiative mandates that California courts follow federal law when it comes to criminal defendant rights. It eliminates the doctrine of "independent state grounds" for deciding criminal cases. Furthermore, it institutes the procedure used in federal courts that permits judges to do all questioning of prospective jurors, rather than having this done by attorneys for the proscecution and defense. The measure also says that preliminary hearings are no longer necessary in cases where a grand jury has issued an indictment and allows the use of some heresay evidence at preliminary hearings. The measure also increases the number of crimes to be included as first-degree murder and expands the definition of "special circumstances" that could lead to the death penality to include the killing of witnesses to prevent testimony in juvenile cases. It prohibits judges from dismissing a finding of special circumstances and allows 16- and 17-year-old minors to be sentenced to life imprisonment without the possibility of parole. It also establishes a new crime of "torture" and punishes it with life imprisonment with the possibility of parole.

Argument for: Proponents — including U.S. Senator Pete Wilson, the California District Attorney's Association, Memory of Victims Everywhere, California Medical Association and Women Prosecutors of California — argue that the measure is needed for speedy justice and to prevent those who commit heinous crimes from getting off freely. They argue that state court interpretations of the California Constitution have made it too difficult to prosecute criminal cases. Implementing Proposition 115 should also decrease the length and cost of criminal trials, proponents argue. They also say that opponents' argument that the measure jeopardizes a woman's right to an abortion is unfounded.

Argument against: San Francisco Bar Association, Los Angeles County AFL-CIO, California National Women's Political Caucus, California Abortion Rights Action League's Shirley Hufstedler, and American College of Obstetricians and Gynocologists argue against Proposition 115. They say the proposition will compromise a woman's right to abortion by eliminating use of the privacy clause in the state Constitution when it comes to criminal matters. They add that the measure goes too far in curtailing state-guaranteed rights of free speech and fair trials. The rights of privacy and doctor-patient relationships are threatened, opponents say. Proposition 115 is too broad and complex to be effective; and will actually increase trial costs, opponents argue.

Information for the June, 1990 ballot pamphlet was compiled by *California Journal* interns Beth Gaston, David Goldstein and Siobhan Ryan.

116 RAIL TRANSPORTATION.

A $1.99-billion general obligation bond measure for the purpose of constructing passenger and commuter-rail systems.

Background: The rail and transportation system in California is composed of three types of rail service: inter-city service between cities in the state, such as the San Joaquin train that connects Oakland and Bakersfied; commuter rail lines running at peak commuter hours in metropolitan areas, such as the train along the San Francisco Bay peninsula; and urban rail service running throughout the day and including facilities such as San Francisco's BART and Sacramento's light-rail system. The cost of building these systems and their operating costs are ususally shared between state and local governments.

Proposal: Proposition 116 allows the state to sell $1.99 billion in general-obligation bonds to raise money for rail construction projects and studies. The state is responsible for the principal and interest costs of these bonds, and General

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Fund revenues (generated by income and sales taxes) would be used to meet these costs. The allocation of bond money would be undertaken by the California Transportation Commission, although a long list of specific projects is included in the bond measure. The measure includes rail projects in virtually every urban portion of the state.

Arguments for: This measure was sponsored by the Planning and Conservation League. Other backers include Attorney General John Van de Kamp, U.S. Senator Pete Wilson, and the California Air Pollution Control Officers Association. They argue that Proposition 116 will reduce traffic, improve air quality and save energy. According to proponents, it is important to increase funds for rail services because rail is both an energy-efficient and physically-safe form of transportation. They argue that rail transport would go a long way towards relieving the traffic congestion and air pollution caused by excessive reliance on auto transportation. Proponents argue that Proposition 116 would facilitate these goals without burdening the public with a tax increase.

Argument against: The listed opposition includes Dr. Martin Wachs, UCLA professor of Transportation Planning, and Ryan Snyder, an urban planner and transportation specialist. They argue that Proposition 116 would probably result in future tax increases to pay for the bond interest or spending cuts in vital areas, such as education and health care. Opponents claim that rail transportation is not economically efficient or environmentally sound. California is not a favorable environment for rail transportation because it has relatively low population densities, undefined corridors of heavy travel, and high levels of automobile ownership.

117 WILDLIFE PROTECTION.

An initiative statute that establishes the Habitat Conservation Fund, supplies it with $30 million in existing revenue, and authorizes it to acquire habitats and protect mountain lions.

Background: The protection of wildlife is the responsibility of several state programs and agencies. Among these are the Department of Fish and Game and the Wildlife Conservation Board which act to protect and acquire lands for wildlife. Monies for protection programs come from the state's General Fund, special environmental programs, and a portion of revenues generated by the cigarette-tax (Proposition 99).

Proposal: Proposition 117 creates the Habitat Conservation Fund and supplies it with $30 million annually for the next three decades. Money for this project would be supplied by general state revenues and the "unallocated" portion of Proposition 99 revenues. Collected revenues would be used for the acquisition or restoration of wildlife areas. Specific allocations are made for the Santa Monica Mountains, the Santa Lucia Mountains near Monterey County, the State Coastal Conservancy and Lake Tahoe. The measure also prohibits the trophy hunting of mountain lions.

Argument for: This measure was sponsored by the Planning and Conservation League. Proponents include a number of conservation groups, Attorney General John Van De Kamp, Republican state Senator Ed Davis of Chatsworth, and Democratic Assemblyman Richard Katz of Sepulveda. Proposition 117's supporters claim that California is in danger of losing 900 valuable plant and animal species within the next 20 years. This measure also will help prevent the unnecessary slaughter of many animals and provide adequate habitats. Proponents maintain that Proposition 117 will supposedly not result in a direct tax increase because it relies on funds from existing programs.

Argument against: The listed opposition includes Republican Senator Robert Beverly, wildlife ecologist Richard Colightly, and the San Joaquin Chapter of the Wildlife Society. They claim that Proposition 117 will divert funds away from critical health-care and environmental programs in order to protect mountain lion and deer species that are not in danger. Opponents maintain that $1.5 billion since 1980 has already been appropriated for wildlife land purchases, with $776 million approved just two years ago.

118 LEGISLATURE. REAPPORTIONMENT AND ETHICS.

A constitutional amendment that requires a two-thirds vote of both houses of the Legislature to adopt a reapportionment plan. It also creates a new legislative ethics committee and bans gifts or payments to legislators by groups that lobby the Legislature.

Background: The reapportionment of Legislative districts must occur every 10 years according to the state Constitution. Both federal and state guidelines are used to ensure a balance in population between existing districts. Approval of redistricting plans is by a majority vote of each house in the Legislature and is subject to the governor's veto. Critics of the system say that it allows the majority party to draw district lines that perpetuate their hold on the Legislature and disadvantage the minority party.

Proposal: Proposition 118 alters the reapportionment process, the election of state Senators, and existing ethics standards. It requires that reapportionment plans be approved by two-thirds of both the Senate and the Assembly, and that the plan automatically be submitted to the voters for approval. In addition, it establishes standards that require all districts to be compact, respect local government boundaries, and that the plan not favor one party over another. Senate seats would have to be comprised of two adjacent Assembly seats. In addition, the measure changes the timing of Senate elections so that all members of the body are elected at the same time. As a result, some Senators would serve only two-year terms in the first election after reapportionment. The measure also establishes a new, expanded Joint Legislative Ethics Committee and prohibits any legislator from accepting a gift or honoraria from any person or firm that lobbys before the Legislature or any person who works for a firm that hires lobbyists. It also prohibits legislators from becoming lobbyists for one year after leaving office.

Argument for: Proponents include businessman Gary Flynn, the California Republican Party, television commentator Bruce Herschensohn, and Gerald Lubenow, director of publications at UC Berkeley's Institute of Governmental Studies. They argue that Proposition 118 is an attempt to end legislative corruption and "restore honesty and integrity to California politics." Proponents maintain that a two-thirds vote for reapportionment will eliminate blatantly partisan reapportionment efforts. The measure is also designed to reduce many conflicts of interest by banning gifts and speak-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing fees for legislators, and by instituting a bipartisan ethics committee for supervision purposes.

Argument against: The opposition to Proposition 118 comes from Common Cause, the California Teachers Association, and the California Council of Police and Sheriffs. They argue that the measure will be ineffective as an ethics reform package because it contains many loopholes and vague guidelines which may allow legislators to circumvent the restrictions. The requirement for a two-thirds vote will only serve to protect incumbents in any reapportionment proposal since the only way to secure passage of a plan will be to draw districts that many legislators will support.

119 REAPPORTIONMENT BY COMMISSION.

A constitutional amendment and statute to require that reapportionment be handled by a citizen commission.

Background: The state Constitution requires the Legislature to reapportion the Assembly, Senate, Congressional and Board of Equalization Districts every 10 years, following the federal census. Those reapportionments must be consistent with certain federal and state guidelines which promote the establishment of districts equal in population size. Reapportionment plans can be adopted by a majority vote in each house of the Legislature and are subject to the governor's veto. Critics of the current system say that the majority party in the Legislature can draw lines that perpetuate their own party and work to the disadvantage of the minority party.

Proposal: This measure would create an independent Citizens Redistricting Commission, which would hear and review privately-sponsored plans for legislative reapportionment. The commission would consist of 12 members appointed by retired appellate court justices. Proposition 119 would require the commission to favor plans that would meet objectives specified in the measure: districts must not vary in population by more than one percent; minority populations must be divided so as not to weaken their political power; and each Senate district should be composed of two adjacent Assembly districts. Ultimately, the approved plans would be subject to a statewide referendum.

Argument for: Proponents include the League of Women Voters of California; the California Republican Party; Stephen Horn, former vice chairman of the U.S. Commission on Civil Rights; and Tom Huening, president of the San Mateo County Board of Supervisors. They believe Proposition 119 will counter gerrymandering and respect minority rights by placing reapportionment in the hands of the public and an independent commission. Current reapportionment laws are said to have provided inherent advantages for incumbents and an underrepresentation of women and minorities in the Legislature.

Argument against: Formal opposition includes Daniel Lowenstein, former chairman of the Fair Political Practices Commission; Judge Bruce Sumner, former head of the Constitution Revision Commission; and Howard L. Ownes, president of the Congress of California Seniors. They argue that Proposition 119 would establish an even worse reapportionment bureaucracy. Only big-moneyed special interests would be able to finance and construct reapportionment plans for the independent commission. Opponents maintain that Proposition 119 would actually increase partisan gerrymandering because the two major parties are guaranteed 10 of the 12 commission seats and are allowed to manipulate the appointment process.

120 NEW PRISON CONSTRUCTION BOND ACT OF 1990.

An act to authorize a bond issue of $450 million dollars to construct new state prisons.

Background: In recent years, there has been an increase in the number of people committed to the state's prisons and youth correctional institutions. Since 1981 the state has invested $3 billion in the construction of new prisons. Existing state prisons are designed to house some 48,000 prisoners but actually hold about 84,000 inmates, which means the facilities are 75 percent over capacity. Long-range plans call for building prisons with a capacity of 106,000 inmates and an actual population of 145,000. The total cost of this program will be about $3.4 billion, with money coming from future bond issues.

Proposal: Proposition 120 calls for $450 million in general-obligation bonds for the construction of additional prisons and the rehabilitation of existing ones. The principal and interest costs on these bonds would be paid from the state's general revenues.

Argument for: Supporters of Proposition 120 include Governor George Deukmejian, Democratic Senator Robert Presley of Riverside, and Republican Senator Ed Davis of Chatsworth. They argue that the increase in convicted felons is a product of tough, but necessary, anti-crime laws. Proponents claim that the state's ability to implement its anti-crime policies is undermined by the lack of necessary prison facilities. Thus, they see Proposition 120 as a necessary remedy to prison overcrowding and crime itself.

Argument against: The opposition includes the Friends Committee on Legislation and the California Council of Churches. They argue that our current correctional system is unbalanced and inefficient. They add that Californians have already approved $3.6 billion for new prisons since 1981, and that it is now time to channel money into more effective intermediate programs, such as alcohol- and drug-treatment facilities and work-furlough programs. These programs are considered to be more effective rehabilitators because the great majority of California crimes are non-violent or drug-related. Opponents maintain that expensive prison construction, as supported by Proposition 120, will not contribute as much to public safety as job training or drug treatment would.

121 HIGHER EDUCATION BOND ACT.

An act to provide $450 million for the construction of new facilities at University of California, California State University and the state's community colleges.

Background: The three branches of the state's higher

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

education system — the University of California, the California State University System, and the California Community Colleges — together have some 138 campuses serving about two million students. The number of students seeking to attend these institutions has increased dramatically in recent years.

Proposal: This ballot measure would provide $450 million for the acquisition of building sites and the construction of new facilities. The measure calls for $130 million to go to the University of California, $130 million to the California State University system and $126 million to the community college system. The remainder would go to a variety of other programs, including removal of asbestos from buildings and the purchase of equipment for community colleges.

Arguments for: Supporting the measure are Governor George Deukmejian, UC President David P. Gardner and Democratic state Senator Gary Hart of Santa Barbara. They argue that the construction is necessary to accommodate increasing enrollments, to upgrade teaching facilities to meet new technology and to improve the earthquake safety of older buildings. They argue that strong institutions of higher education are necessary if California is going to sucessfully compete in an increasingly technological world.

Arguments against: Opponents include Thomas Tryon, chairman of the Calaveras County Board of Supervisors; Anthony G. Bajada, professor of music at CSU Los Angeles; and Ted Brown, a member of the executive committee of the California Libertarian Party. They argue that taxpayers are already providing a large enough subsidy to students who want to obtain a higher education at the state's schools and that the students themselves should be required to meet additional costs.

122 EARTHQUAKE SAFETY AND PUBLIC BUILDINGS REHABILITATION BOND ACT OF 1990.

An act to authorize the sale of a $300 million bond issue for the reconstruction, seismic retrofitting, repair, replacement, and relocation of state and local government buildings which are unsafe in the event of earthquakes.

Background: The State of California owns about 16,000 buildings, many of which need earthquake-safety improvements and do not meet current building codes concerning fire safety and handicap accessibility. Many state-owned buildings also contain asbestos building materials. Additionally, approximately 1000 local government-owned essential services buildings (such as police and fire stations and emergency operations centers) are located in high earthquake-risk areas of the state and potentially need earthquake-safety improvements.

Proposal: This measure authorizes the state to sell $300 million in general obligation bonds. The governor and the Legislature would decide which projects would be financed with the bond money. The measure authorizes $250 million for state purposes, $50 million for grants to local governments, and up to $3 million for the State Seismic Safety Commission to research methods and technologies of earthquake safety improvements.

Arguments for: Supporting the measure are Democratic Senator Art Torres of Los Angeles and Democratic Assemblyman Dominic Cortese of San Jose. Proponents of the measure argue that state and local governments need to upgrade their buildings if they are to be safe during an earthquake and essential public services are to be maintained.

Arguments against: Arguing against the measure is William McCord, a retired state administrator. Those opposed to the bond issue say that improvements to state buildings should be made out of existing revenues, that bond issues end up costing the state much more because of the need to make interest payments, and that these additional costs mortgage the state's future.

123 1990 SCHOOL FACILITIES BOND ACT.

An act to authorize the sale of $800 million in bonds to provide money for the construction or improvement of public schools.

Background: The State School Building Lease-Purchase Program provides most of the money used by local public school districts to construct, reconstruct, or modernize school buildings and related facilities. Districts must meet eligibility requirements and contribute matching funds before they can get state grants. Local matching funds, raised through local general-obligation bonds and developer fees, have paid for about 5 percent of the total cost of projects funded through the state program. As of January 1990, school districts have submitted applications for some $5.6 billion in construction projects. Current available funds equal approximately $75 million. This measure, placed on the ballot by the Legislature, was held up for several days by Republicans and Democrats squabbling over whether or not the proposal should mandate 15 percent of the construction contracts to minority-owned firms and 5 percent to firms owned by women. Faced with a ballot deadline ultimatum from the secretary of state, lawmakers finally agreed to have any such language removed.

Proposal: This measure authorizes the state to sell $800 million in general-obligation bonds to pay for the construction, reconstruction or modernization of elementary and secondary school buildings under the State School Building Lease-Purchase Program and other school facility projects including the abatement of asbestos and the purchase of portable classrooms.

Arguments for: Supporters include Governor George Deukmejian, Superintendent of Public Instruction Bill Honig and Democratic state Senator Leroy Greene. They argue that schools need more money to build classrooms to house the rapidly expanding school-age population. Local districts have found it almost impossible to raise much money on their own and already are strapped for funds for the day-to-day operation of the schools and so they must turn to the state to provide money for new construction.

Arguments against: Opponents include the Libertarian party which argue that the state is already doing more than it should to support public education. Libertarians argue that education should be a private responsibility and not be borne by taxpayers who may not directly benefit from the costs of public schools.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Photos courtesy of CalTrans

CalTrans: Hard times for the state's master builders

By Greg Lucas

For decades, the California Department of Transportation, or CalTrans, was known as an elite corps of can-do men in snap-brim fedoras who laid the foundation for California's growth by building hundreds of miles of highways almost as fast as engineers could design them. They basked in an international reputation for innovation and excellence.

But whatever remnants of that golden image still lingered in 1989 were crushed in the earthquake that shivered through Northern California on October 17, 1989. The one-time wonder boys of the 1950s were suddenly viewed as ineffective, misguided bureaucrats.

Blame for the collapse of Oakland's Cypress viaduct and a 50-foot section of the Bay Bridge was heaped on the state Department of Transportation.

"They became the whipping boy," said Senator Quentin Kopp, chairman of the Senate Transportation Committee. "They were an easy target."

Since the earthquake, legislators and planners have scrutinized CalTrans, looking for ways to strengthen the safety of the state's highways and — equally daunting — keep the rest of California's road system from being paralyzed by gridlock.

There are those at CalTrans who believe all the attention focused on the department may help them in the long run, highlighting external problems that have burdened the agency for more than 20 years. CalTrans also hopes more people will recognize that money is quickly running out at a time when great demands are being placed on the agency.

Continued on next page

Greg Lucas is a Capitol correspondent for the San Francisco Chronicle.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Despite the criticism leveled at the department, the quake has already provided a much-needed boost in morale for an agency whose spirit had been broken by years of vacillating political support.

"In any disaster, you tend to have people pull together," CalTrans spokesman Jim Drago said. "And afterwards you feel good about yourself because people counted on you and you delivered."

As they try to rekindle the *esprit de corps* they enjoyed 40 years ago, CalTrans planners and engineers face challenges reminiscent of those early days, when it was the old Division of Highways — limited funding and a rapidly expanding population in need of transportation facilities.

CalTrans begins the new decade at least $3.5 billion short of the $15 billion needed to complete its five-year highway construction plan. Worse still, as the state's existing 162,562 miles of streets and roads get older, repair and maintenance costs continue to soar.

Without an increase in the gasoline tax, lawmakers and transportation experts argue, the entire program will come to a screeching halt. And, experts say, without more money to improve the state's transportation network, traffic congestion in the Bay Area and Los Angeles will worsen and spread to the Central Valley, the Central Coast and other rapidly growing areas. Whether CalTrans can deal with such problems remains questionable to many. The agency has long been criticized for its inconsistent leadership and unwieldy, 17,000-employee bureaucracy with needless layers of review.

Many fear that California will enter the 1990s ill-equipped to deal with monumental transportation problems, repeating a cycle that began four decades ago, when the state's population boomed after World War II. But CalTrans officials are confident that they are up to the task. They say the department has been unfairly criticized, noting that its direction has been largely dictated by the fickle political will of Sacramento.

"It's just like a roller coaster. Absolute feast and famine," said Robert Best, the director of CalTrans and a 15-year veteran. "Every time we were geared up and ready to go, the support for the program seemed to drop off. Then, when the funding and political situation turned around, the department was still demoralized from when the support wasn't there."

Popular support for the state's expensive highway program began to evaporate with the departure of Governor Pat Brown in 1967. An anti-growth and pro-environmental consciousness began to grow in the state. Tired of having neighborhoods ripped up for road rights-of-way, communities began to rebel against what they viewed as CalTrans' autocratic dictates.

That attitude sparked new laws demanding greater sensitivity to the environment, which caught the state's highway bureaucracy off guard. Construction of dozens of major projects was delayed or abandoned. In the early 1970s CalTrans had to virtually start from scratch in its overall transportation planning.

Best and other CalTrans officials argue that the department has also been the victim of uncontrollable events. Their history of CalTrans contains these key moments:

- As the oil embargo is imposed in 1973-74 and gas tax revenues plummet, inflation drives highway construction costs through the roof.
- Drastic layoffs in 1975 are made to keep CalTrans from going bankrupt. Some 3000 employees quit or get the axe, leaving the department's work force older and ill-prepared to cope with new challenges.
- Sagging morale is worsened by Governor Jerry Brown's controversial choice to head the department — Adriana Gianturco. Her abrasive style angers lawmakers, who get revenge by overhauling the highway bureaucracy. A champion of mass transit and soundwalls over new freeways, Gianturco leaves no ready-to-build highway projects when she departs in 1983.
- Governor George Deukmejian pays lip service to the need for more roads but refuses to give CalTrans the manpower it says it needs until after his 1986 re-election. Deukmejian's failure to support a 1985 proposal to increase the gas tax by five cents in favor of a narrowly defeated $1 billion bond measure leaves CalTrans without enough money to get going on major projects or even pay for several of the projects it has already committed to build.

Today, the situation is even worse.

It must be a bitter pill for those lawmakers and leaders still alive who helped give birth to California's road-building program during the boom years after World War II. Forty years ago, the Legislature and Governor Earl Warren responded to the state's dramatic growth with a bold master plan to build for California's future by connecting the state's 58 county seats with proud ribbons of concrete. The Division of Highways stepped up construction of its super-roads — three lanes of traffic in each direction. We know them as freeways.

Other states charged for the use of their highways but, except for a few bridges, California has kept its free.

The powerful highway lobby of contractors and developers reigned supreme. Their man in the Legislature was Randy Collier of Yreka, the blustery chairman of the Senate Transportation Committee. During his 38 years in the Senate, Collier earned the reputation of being the father of California's freeway system.

"It was a good-old-boy network," said William Bagley, a Bay Area assemblyman from 1969 to 1974 and a former member of the state Transportation Commission. "The lore was that if you wanted a highway you went to see Ran-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

dy Collier."

In 1956 President Eisenhower created the federal interstate highway program. Collier and state highway planners grafted several proposed projects, such as Interstate 5, onto the state's master plan so California could share in federal road-building money. For the next 10 years, the Division of Highways — and the Department of Public Works of which it was a part — were almost like California's Pentagon.

Under Pat Brown's administration, construction was the watchword. The state water project, the University of California and the state highway system flourished.

But then success caught up with the road builders.

So good were the builders at laying down new highways that their production outstripped the money available. At the same time money got tighter, the environmental consciousness of the late 1960s exploded into a tough new set of national and state laws aimed at balancing economic growth with protection of natural resources.

Expanding existing roads or building new ones now required an environmental-impact statement. New criteria had to be used in designing roads in coastal areas. And the way the new laws worked, almost every highway project in the pipeline was affected.

"If we hadn't already made a decision to let a contract on a project," Best recalled, "we had to go back and start all over again. Many of those projects began to bog down."

Best argues that much of the state's current traffic woes stem from that event.

In the past, when the state said a highway would be built somewhere, it was almost certain the highway would be completed — usually on schedule. Local governments depended on those projections to guide their long-range plans for growth.

But that certainty vanished as state road builders struggled to cope with the new environmental requirements. Projects slipped off schedule and more than a few sank into oblivion.

"That uncertainty has contributed to a lot of the problems we have today with intractable congestion," Best said. "Road building dropped off but development went right on ahead."

Cash-strapped and foundering, the highway bureaucracy called in an outside consulting firm to assess the situation. The firm's finding was that no amount of money would ever complete the state's grand highway plan and that the best thing to do was create as good a system as possible by patching together the pieces already in place.

In 1972 Governor Reagan created the Department of Transportation, pulling several smaller bureaucracies together to form one massive one. But the move brought no new money for highway construction.

"[Reagan] was very big on highways," Best said, "but he wasn't big on tax increases."

But tax revenues were what was needed to keep CalTrans from going bankrupt in 1973 when the Arab oil embargo hit. Highway construction in California is paid for almost entirely by money raised through the state's nine-cents-per-gallon gas tax. The problem is that the tax is based on gallons used, not on the price of gasoline. So when prices shot up in 1973 and 1974, demand dropped and CalTrans hit rock bottom.

"For the last two years of the Reagan administration the department was kept under a tightly restricted hiring policy," Best said. "The money wasn't there and it was clear all the projects people were working on were not going to be funded in the foreseeable future."

The positions of retiring CalTrans employees were left vacant. Other workers were encouraged to take early retirement or transfer to another bureaucracy.

But it still wasn't enough.

Continued on next page

Advertisement

SMALL PROPERTY VERSUS BIG GOVERNMENT
SOCIAL ORIGINS OF THE PROPERTY TAX REVOLT
CLARENCE Y.H. LO

"Lo writes with wonderful clarity and empathy. He has produced an in-depth analysis of the anti-corporatist roots of the property tax revolt, and of the way the exigencies of power shaped and distorted its evolution."
—Frances Fox Piven, author of *Poor People's Movements: Why They Succeed, How They Fail*

$30.00 at bookstores or order toll-free 1-800-822-6657. Visa/MasterCard only.
University of California Press
Berkeley 94720

Advertisement

Contact:
Kathy Lynch
201 Lathrop Way
Sacramento 95815
916 924-8288

STATEWIDE INFORMATION SYSTEMS

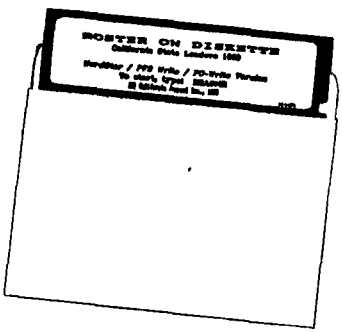
FOR ALL YOUR CAMPAIGN COMPUTER NEEDS.
LET STATEWIDE INFORMATION SYSTEMS WORK FOR YOU!

Mailing Labels • Walk Lists • Phone Lists
Laser Letters • Targeting Reports
Polling Samples • Voter Profiles
Customized Voter Contact Materials
And Much More.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Advertisement

1990 ROSTER ON DISKETTE



All the names and addresses in the 1990 *Roster and Government Guide* will be available in computer-readable format next month.

The new 1990 *Roster on Diskette* makes it possible for you to create personalized mailings and lists and directories of your own design without the headache of entering the *Roster* data yourself.

The purchase price includes the right to update your diskette for only $5.00 anytime for the one year (just send in your original diskette with $5.00, and an updated diskette with the latest changes will be sent by return mail).

Files on *Roster on Diskette* serve as data files for your own programs. These formats are available: dBase, Work Perfect, or WordStar, PFS or PC-Write (ASCII delimited).

If you mail just one letter to the Legislature this year, this will more than pay for itself.

To place your order send $49.00 plus $2.94 sales tax and $2.00 handling to:

California Journal Diskette
1714 Capitol Avenue
Sacramento, CA 95814

Be sure to specify data format.

Trademarks: IBM, International Business Machines Corporation; dBase, Ashton Tate Inc.; WordStar, MicroPro International; WordPerfect, WordPerfect Corporation.

In 1975 the lay-offs began. By July 1976 some 3000 employees were either laid-off, transferred or demoted. The department's $934 million budget was slashed to $843 million.

"We couldn't take anything into account but seniority so you took the guts of your organization and threw them out the door," one former CalTrans employee said of the lay-offs.

Another side-effect of firing engineers with the least amount of time at the department was that many of the very people initially hired to cope with the environmental review process were the first ones to get the axe.

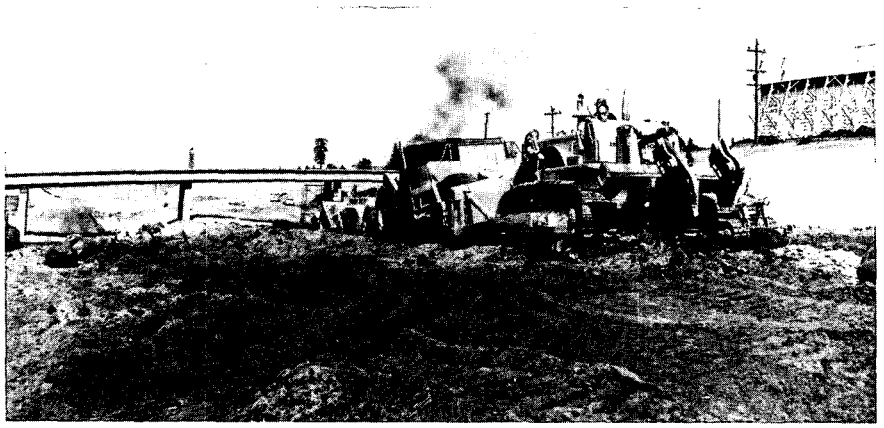
"I think that it cost the state a lot more than the state saved," Best said. "We didn't end up with a well-balanced, well-organized but smaller department. We ended up with a smaller department with its job skills out of whack and its program in disarray."

California's new governor — Jerry Brown — did little except worsen the department's crumbling morale. One of his standard lines in response to critics of his highway policies was that "there are matters of higher priority than pouring concrete."

After taking office in 1975, Brown left the department essentially rudderless for 15 months, leaving it in the hands of a Reagan administration holdover, and then appointing an acting director. In March 1976 he named Adriana Gianturco to head the department. Her nearly eight-year tenure got off to a rocky start because her first day was also the day the state opened its controversial diamond lane on the Santa Monica Freeway in Los Angeles. Motorists were outraged because the exclusive lane for buses and car pools was created by eliminating an existing traffic lane instead of adding a new one as a bonus. Gianturco was instantly saddled with the nickname "Diamond Lil" and eventually Brown dropped the idea.

In many ways, Gianturco was ahead of her time. She spearheaded creation of the nation's first statewide van-pool program and touted mass transit and ride-sharing as the best way for the state to ease congestion.

The themes Gianturco voiced a decade ago are now being embraced by one of her harshest critics — Governor Deukmejian, whose political philosophy is about as similar to Gianturco's as Ronald Reagan's is to Jerry Brown's.



Gianturco sought to maintain or improve the highways the state had already built; new construction was a lower priority. When she took office she ordered preparation on all new projects stopped so that she could look at the proposals.

"My philosophy is to take what we have and try to make it work better," she said in a 1977 interview.

What that translated into was a lot of unspent state highway construction dollars. By 1979 there was a $600 million surplus in state funds that could have been used to pay for new highways.

"She literally tried to turn off the money spigot," said former Assemblyman Bagley. "By not using that money she left millions of federal matching dollars just sitting there on the table."

Gianturco's reluctance to embark on massive highway projects infuriated lawmakers. One reason, of course, is that ribbon-cutting ceremonies for gleaming new off-ramps and overpasses are the stuff of which re-election campaigns are made.

But also the late 1970s was a period of high inflation and the longer the money sat around without being spent the less it would buy in new highways.

Fed up by Gianturco, Assemblyman Walter Ingalls, the Riverside Democrat who chaired the Assembly Transportation Committee, introduced a bill taking spending authority for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

highway funds out of CalTrans' hands and placing it a new entity called the Transportation Commission.

"The process he created is damn good government," said Bagley. "Besides adding the commission as a sort of check-and-balance on CalTrans, it gave local government the absolute right to help put together the list of state-funded [highway] projects."

Even with the change in how highway dollars are spent, Gianturco still held firm on avoiding new construction. And the effect of that has rippled into the Deukmejian administration.

Large highway projects take at least eight years from conception to completion. Projects opposed by Gianturco but favored by the Deukmejian administration were revived, but the delay in getting started on them means few will be finished before Deukmejian leaves office in 1991.

"That construction you see today," Bagley points out, "was authorized four or five years ago."

The result is "there's only been 1.1 percent more roadways constructed under George Deukmejian than under Jerry Brown," said Kopp.

But unlike the Brown years, under Deukmejian, CalTrans found itself awash in cash. Stung by legislative criticism of Gianturco and facing the prospect of further slowdowns in CalTrans after the oil shortage in 1978, Brown — over Gianturco's objections — in 1982 signed into law a two-cent increase in the state gasoline tax. It was the first increase in the tax in nearly 19 years. It coincided with a nickel hike in the federal government's tax on gas.

By the time Deukmejian took office in 1983, "there was tons of money flowing in but nothing to spend it on," one ex-CalTrans official recalled. The problem was, the Deukmejian administration contends, Gianturco left no major highway projects ready for construction — the shelf was bare. Gianturco denies the charge.

Nevertheless, from 1983 to 1987 the department focused mostly on smaller, easier-to-complete projects to make sure it didn't lose any federal dollars. It conducted a massive rehabilitation program, made minor bridge corrections — everything that could be done without being forced to undergo time-con-

Advertisement

Industry Leader in Legislative & Regulatory Reporting

STATE NET®
916/444-0840

Check us out:

At State Net® we make service a team effort.

We're looking for:

SALES & CLIENT SERVICES REPRESENTATIVES

To join our team.

Candidates should possess determination to excel accompanied by appropriate experience and knowledge of the legislative process. Product training and ongoing support from our professional staff and management team are assured.

STATE NET® is committed to quality products, customer satisfaction and providing its staff with the resources to succeed.

Why not choose the best?

Resume should include salary history. Send to:

State Net®
1900 - 14th Street, Sacramento, CA 95814 • 916/444-0840
or FAX to 916/446-5369

An equal opportunity employer.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

suming environmental impact reports.

"We didn't lose federal money but we didn't build new freeways either," a former CalTrans worker said.

During that time, Deukmejian's pick to head the department was Leo Trombatore, an engineer who had been with CalTrans more than 30 years.

"Leo was a good engineer but he wasn't forceful," said Bagley, who served on the Transportation Commission during Trombatore's tenure as director. "He worked under a shadow of trepidation. He worried too much. But the fact is, even if he wasn't in charge nothing different would have happened."

In 1985 Trombatore asked Deukmejian for 300 new employees, many of them engineers. The new people were needed to slash huge overtime costs, Trombatore said. He was turned down. Several insiders say Deukmejian's refusal to add the new staff had more to do with his upcoming re-election bid. The governor wanted to say he had kept in check the number of people employed by the state.

"There are two ways to show you're conservative," one Capitol insider said. "One is to reduce taxes, which Deukmejian knew he couldn't do. The other is to control government growth."

After his re-election, Deukmejian did approve some staff increases and allowed CalTrans to "contract out" some of its engineering needs. But in what turned out to be an ironic twist, he steadfastly refused to back a 1985 plan to increase the gas tax by five cents.

John Foran, a San Francisco Democrat who was then chairman of the Senate Transportation Committee, said the tax hike was needed to pay the spiraling costs of repair and maintenance of the state's aging highway system. Deukmejian stuck to his "no-new-taxes" stance and instead backed a $1 billion bond issue on the June 1986 ballot. The measure lost by less than 1000 votes.

By then the writing was on the wall — gas tax revenues were not enough to pay for repair, maintenance and new construction. Within a few years the once proud highway program would be out of money — again.

"That time has arrived," said Bagley. "There's absolutely no new money for construction from this point forward. Period. General operations, maintenance and rehabilitation efforts will consume every state dollar available."

At its December meeting, the Transportation Commission announced it had no more money to spend on new projects until at least June 1990.

The lack of money is a problem CalTrans' current director, Robert Best, has been painfully aware of since Deukmejian appointed him in 1987 to fill the spot of the retiring Trombatore. Best spent the better part of his first month as director, insiders said, convincing Deukmejian that without a gas-tax increase highway construction would come to a halt.

"How joyously do you think George Deukmejian accepted the concept of becoming the advocate of a tax increase?" Best said.

But Deukmejian but the bullet and, in a rare show of compromise with the Legislature, worked to craft what amounts to a new transportation master plan for California's future.

The centerpiece of that plan is a nine-cent increase in the gas tax — the largest single jump since the tax was created in 1923. Over the next 10 years, the tax increase, coupled with a hike in truck fees and three $1-billion bond measures, is expected to raise more than $18.5 million.

But unlike the master plan of Earl Warren's era, this package marks the first time that the state has focused on reduction of traffic congestion. To combat this enormous problem, the state has made a major, unprecedented financial commitment to expand bus, rail and other public transit systems, as opposed to merely relying on adding more freeway miles.

The plan still must be approved by voters. Polls show the public about evenly divided. If voters buy into the idea, construction will quickly begin on $450 million in new highway projects and $300 million in rail transportation projects.

Ironically, with the future of the department riding on the vote in June, observers say morale and management at CalTrans are better than they have been in years.

But Best and others warn that hopes for a bright new era will evaporate without the necessary funding contained in the gas tax plan.

"If the gas tax increase doesn't pass you're going to see widespread layoffs at CalTrans again," said Assemblyman Richard Katz, the chairman of the Assembly Transportation Committee. "There isn't much middle ground. Either the gas tax passes and we begin solving problems in this state again, or it fails and the next 10 years are going to be a major nightmare."

Advertisement

Master

The Name Game

with

CALIFORNIA JOURNAL

Newsfile

The monthly newsletter for Capitol Insiders

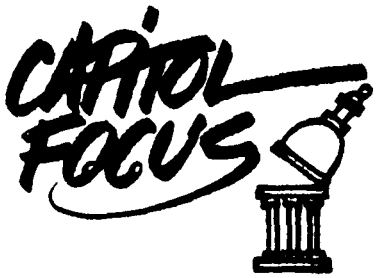
Published and edited by the same people who bring you *California Journal*, **NEWSFILE** compiles information vital to tracking the people who run state government. **NEWSFILE**'s monthly features include:

- ✔ Gubernatorial appointments
- ✔ Lobbyist registrations and terminations
- ✔ Legislative committee changes
- ✔ PAC registrations
- ✔ Lists of state government reports
- ✔ Calendar

This hard-to-obtain information is mailed to your First Class 12 times a year for only $55.

If you would like to receive a free examination copy without obligation, just call 916/444-2840 or write **NEWSFILE**, 1714 Capitol Ave., Sacramento, CA 95814.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



A POLITICAL AWARENESS PROGRAM FOR HIGH SCHOOL STUDENTS

APRIL 22-25, 1990 IN SACRAMENTO

One hundred twenty-five high school aged students from throughout California are invited to attend the next Capitol Focus program, April 22 - 25, 1990 in Sacramento. They'll attend sessions with over sixty professionals in state government and enjoy the opportunity to investigate California politics first hand. After hearing contrasting perspectives on key issues being examined by policy makers, participants will cast their vote. They'll return to their classrooms to make reports and lead discussions benefiting hundreds more!

PROGRAM ACTIVITIES:

Seminars
Workshops
Debates
Investigative Interviews
Simulated Proceedings
Ballot
Community Presentations
Delta King
River Boat Cruise
Old Sacramento Dance
Legislative Panel Discussions
Tours of Historical Sites
Volleyball tournament
Vietnam Retrospective

SCHEDULED TOPICS INCLUDE:

Education Policies
Homeless
Reapportionment
Gas Tax
Media Influence
Ca. Court Systems
Mandatory Motorcycle Helmets
Lobbying Strategies
Death Penalty
Search & Siezure
Oil Spill Protection
Family Planning Funds
Political Ethics
Open Enrollment
Abortion Controversy
Governor's Race
Civil Disobedience
Legalization of Drugs
Vending Machine Pornography
15 Day Firearm Wait
Wildlife Protection
Rail Transportation
Early Primary

REGISTER NOW!

Fee for the program is $225. Participation is limited to one-hundred and twenty-five students, and no more than seven per community. Elected officials, businesses and foundations, high school administrators, parents and others are encouraged to sponsor students from their area, or contribute to our scholarship fund for under-represented youths. For more information, or to register, please contact:

James C. Muldavin or Deanne Reinstein
Capitol Focus Project
1715 Capitol Avenue, Sacramento, California 95814
916/444-2840

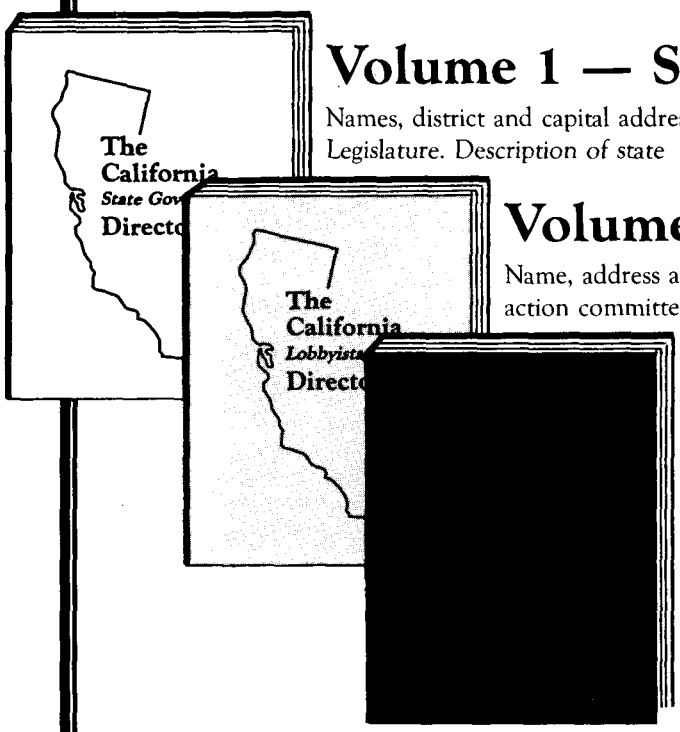
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Get 1990 Free, if you order 1991-92 now!

The California Directories
and Update Service

The three-volume set is an indispensible tool for corporate relations officers, researchers, lobbyists, press and government agencies who need to know who's who in California government and public affairs. *The California Directories* provide a quick way to identify the key players in state and local policy making.

Includes semi-annual update service.



Volume 1 — State Government

Names, district and capital addresses, phone numbers, party affiliation, and staff of the Legislature. Description of state departments and their top staff. 144 pages, 8½ x 11″.

Volume 2 — Lobbyists/PAC's

Name, address and phone numbers of lobbyists, firms and employers and political action committees. 186 pages, 8½ x 11″.

Volume 3 — Local Government

Every city and county with its address and phone number and top elected and appointed officials. About 300 pages, 8½ x 11″.

"The indispensible government reference tool."

Special Offer: Buy 1991-92 and get 1990 Free!

Order now for the 1991-92 biennium and get 1990 Free: three years of up-to-date information for only $195.00. A unique information system at a unique price!

This set is a joint production of **State Net®**, the nation's leading on-line 50-state legislative and regulatory reporting service, and ***California Journal.*** For information about electronic versions of Volumes 1 & 2, contact Wayne Kessler at State Net, 916/444-0840.

ORDER FORM

Three years 1990-1992 includes 3 volumes and updates in 1990, new volumes in early 1991 and three more updates through 1992.

☐ Volume I, $95.00.
☐ Volume II, $65.00.
☐ Volume III, $65.00.
☐ All Three, $195.00.
(an additional savings of $30.00)

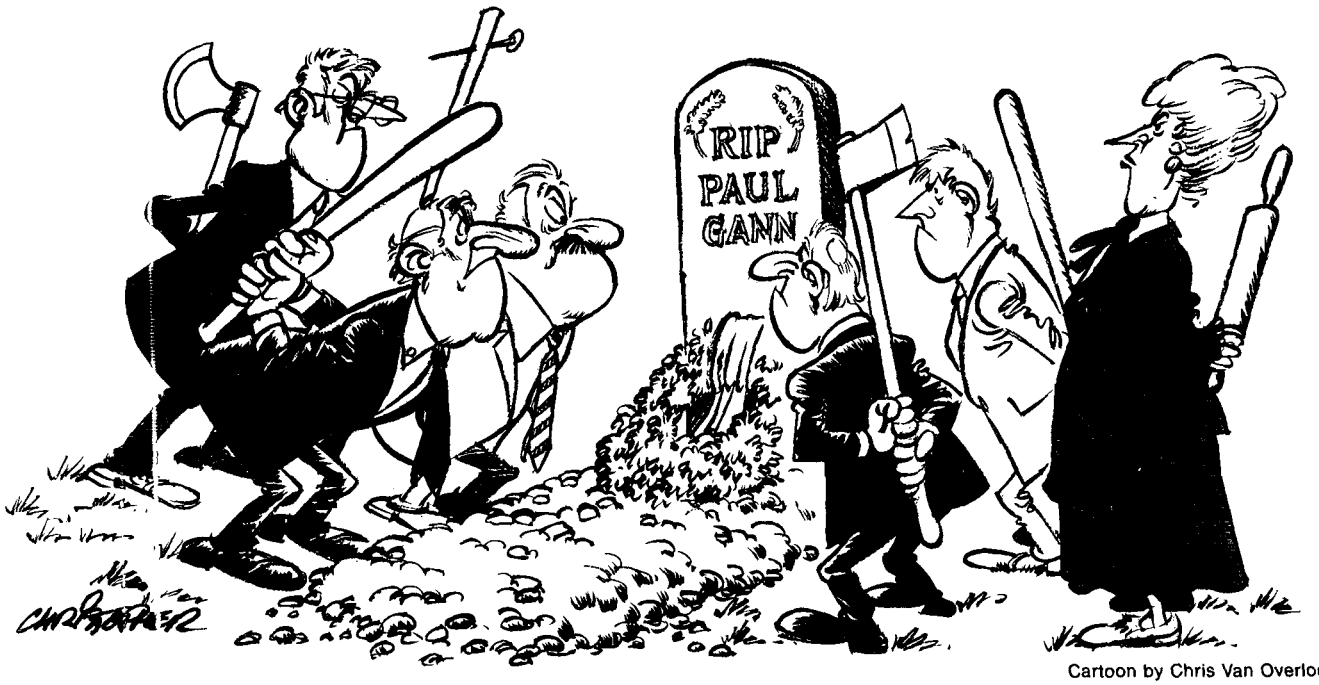
Name _____
Organization _____
Address _____
_____ Zip _____
Telephone # _____ / _____

Please add 6.75 percent sales tax plus $2.50 handling to all orders.

Send check, P.O. or credit card number for the correct amount to *California Journal*, 1714 Capitol Avenue, Sacramento, CA 95814.

For immediate orders or more information call 916/444-2840.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Cartoon by Chris Van Overloop

A LEGACY WORTH FIGHTING OVER

Who speaks for the ghost of Paul Gann?

By Max Macauley

There are no wills for a political legacy.

When anti-tax crusader and conservative curmudgeon Paul Gann died in September 1989 it set off a fierce battle between two groups claiming to be his political heirs. If nothing else, this squabble revealed that the so-called "citizen action" groups organized around one personality are also flourishing businesses worth fighting over. And it raised questions about how such groups survive once their charismatic leaders are gone.

In Gann's case, the founder's death caused his People's Advocate to split into factions, with members of Gann's family arrayed against long-time Gann associates. At stake was not only a legitimate claim to the founder's name and conservative agenda, but control over access to loyal paying members and to contributors recruited during Gann's leadership period.

The People's Advocate dispute burst into the open not long after Gann's death, when the organization's board of directors ousted members of the Gann family from both the board and from the group itself. The deposed Ganns included his widow, his son Richard and the most politically active of his three daughters.

According to members of the People's Advocate board, Richard Gann sought to take over the organization. But board members, including Sacramento developer Dan Benvenuti Sr., refused. They felt the younger Gann had theretofore been uninvolved in the organization's work, that he wanted too much money to do the job, and that the organization should remain under the control of Gann's long-time aide, Ted Costa. People's Advocate's Sacramento office is located on property owned by Benvenuti, who was one of the elder Gann's earliest supporters.

Richard Gann insisted that the family's sole interest is "protecting the interests of those People's Advocate members and the contributions they have made under Paul Gann ... and to protect my father's name and reputation."

Daughter Linda Gann Stone believes it's going to take legal action to decide who controls People's Advocate's assets, including its bank accounts and mailing lists. She insists, "They changed the locks and we froze the accounts. We're gonna let 'em die a natural death. But if they ever use my father's name, then the gloves come off." Linda Stone served as chief financial officer for much of the time her father led People's Advocate.

As contention over succession and control unfolds, it raises questions about the life cycle of citizen-based initiative organizations: how dependent are they on a charismatic founder? What happens when that founder is no longer the guiding force?

During Paul Gann's lifetime, People's Advocate and Gann were one and the same, with Gann himself clearly its focal point. But history has shown that, to survive, any grassroots organization must adapt to the changing political landscape. People's Advocate had started to change even during Gann's lifetime — a process that has continued since

---

Sacramento's Max Macauley spends part of his time as a professional petition circulator.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

his death.

In the beginning, People's Advocate was something of a Johnny One-Note. When Paul Gann and the late Howard Jarvis joined forces more than a decade ago, their primary aim was to lower property taxes. In this, they struck a responsive chord with voters that resulted in the passage of the historic Proposition 13 in 1978. Gann and Jarvis essentially were their organizations, although technically the groups were controlled by boards of directors. The wishes of Jarvis and Gann were usually endorsed by those boards, however.

Having achieved their primary goal with the passage of Proposition 13, Gann's People's Advocate and Jarvis' taxpayers' association began to shop around for other goals — if for no other reason than to not go out of business. Thus, they evolved from successful one-issue groups into organizations with multiple goals. The results were mixed.

Jarvis' group never again enjoyed as much popular support among the voters as it did during the Proposition 13 campaign. Renamed the California Tax Reduction Movement, it suffered from declining media attention as Jarvis' persona as a quotable, colorful, public figure declined. His death in 1985 did not spark the kind of internal rivalry that has marked Gann's passing; Jarvis' organization has continued as the Howard Jarvis Taxpayers Association under the direction of Joel Fox, the founder's aide. Jarvis's widow continues as a board member.

Fox admits that his group gets much less media attention in the post-Jarvis era — a fact reflected in its shrinking membership. Under Jarvis' leadership the group's peak membership rose to 350,000 contributors. Since his death the group's support base has dropped to 200,000. But Fox feels the group is effective in working for Jarvis' goals. He said the group spends much of its time and money defending political and legal challenges to Proposition 13. Significantly, HJTA also has changed the way it deals with Sacramento lawmakers since Jarvis died. Under Fox's leadership, the group now works with state legislators, lobbying against proposals to raise or spend tax revenues. This is a stark contrast to the days when Jarvis castigated lawmakers in Sacramento.

In addition to defending the founder's Proposition 13 achievement, the HJTA also joins conservative coalitions, including the business coalition formed to oppose last year's Voter Revolt initiative to raise commercial property tax rates. The Voter Revolt proposal — offered by the group that authored the successful Proposition 103 insurance initiative of 1988 — failed to qualify for the ballot.

For Paul Gann, times were lean before his success with Proposition 13. Back then, his tax-cut group then included some 1500 dues-paying members. At its peak, People's Advocate had some 100,000 members who paid annual dues of between $25 and $100. Another 250,000 were contributors who donated up to $100. According to recent reports, membership has dropped to only about 20,000. Gann's son Richard says 99 percent, then and now, are California residents.

Control of this considerable political and financial asset underscores the question of which faction can claim to be the rightful heir to the late founder's ideological legacy. Lawsuits have tied up the nearly $300,000 which People's Advocate had in bank accounts. Meanwhile, the Ganns have created a new organization — Paul Gann's Citizens Committee. People's Advocate regularly reminds the public that *it* was the group founded by Paul Gann. In February 1990 Gann's widow filed suit against the Costa faction, challenging their control of People's Advocate and the use of Paul Gann's name.

Each of the two factions must now spend time, money and effort selling itself to the elder Gann's remaining loyal constituency and dues-paying supporters. Bolstering their claim to succession is the fact that the Ganns continue to represent the late Gann on the coalition against the Voter Revolt initiative. The Costa faction has not been invited to represent People's Advocate. Costa said he expected his board to formally withdraw from participation in the coalition. He indicated People's Advocate would "take a breather" and consider concentrating on becoming a research group rather than continuing as an activist organization.

Political consultants representing the two major political parties had very similar opinions on the fate of the divided PA organization. Ray McNally, a political consultant for Republicans, suggested that the 35 percent of the population which always objects to taxes would continue to support Gann-type organizations. The Howard Jarvis group was cited as an example of an organization which continues beyond its founder, based on the support of this segment of the population. McNally thought PA had the potential to carry on in Paul Gann's tradition on the issues of crime and taxes.

A less-partisan view came from a Bay Area author who just published a study of California's initiative movements. David Schmidt, author of "Citizen Lawmakers; The Ballot Initiative Revolution," believes it's too early to determine the fate of the People's Advocate factions. Schmidt pointed out two changes which have occurred in the Jarvis organization since the founder was no longer its guiding force. He said Fox's group is mainly "engaged in the defense of Prop 13, rather than doing any more tax-cutting initiatives." Recently, the group said it would propose an initiative that would make it still tougher to raise both state and local taxes.

Not every group founded by a charismatic leader seeks to perpetuate that leader's presence, however. In direct contrast to the squabble over Gann's legacy, the Campaign for Economic Democracy (CED) sought to distance itself from its founding lights. CED was founded in the 1970s by activist (now Assemblyman) Tom Hayden and his then-wife, actress Jane Fonda. While Hayden and Fonda themselves were beacons for many activist liberals, they presented a negative image for many middle-of-the-road Californians. In part to combat this image and to broaden its appeal, CED changed its name to "Campaign California" in 1986. Although Hayden remains active in the organization, the group is not as closely identified with him — and hardly at all with Fonda — as was the old CED.

If People's Advocate eventually dies out, its demise wouldn't be the first time such a group disappeared in California. Schmidt recalled a similar situation where a group faded after the founder left the scene. In that instance, Ed Koupal, a Sacramento car salesman offended by Ronald Reagan's cuts in social services to the mentally ill, launched an unsuccessful recall drive against the then-governor. Schmidt regards Koupal as "the guru of the modern initiative movements. He was the first one who had done it on a volunteer basis since 1938. Koupal was a man who wanted to focus citizen outrage effectively ... and he used the initiative process to do that."

Koupal's recall campaign started a new tradition of grassroots organizers who were colorful and charismatic leaders. The stereotypical salesman, he was an early, progressive version of the bombastic Howard Jarvis. In his day, Koupal had as little regard for the governor and state legislators as did Jarvis a decade later. He expressed his contempt for them in the same media attention-grabbing way.

During the closing years of the turbulent '60s, Koupal organized a growing number of supporters into a group called the People's Lobby. His improvement of the petition circulat-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ing procedure became standard for initiative drives. Circulators he trained worked in pairs, primarily at shopping centers. One would direct signers to a folding table. The other circulator showed registered voters where to sign and explained the issue.

Koupal's system significantly increased signature production, making it possible to gather up to 100 signatures per hour. This contrasted considerably with the usual situation where a petition circulator usually went door-to-door or approached prospective signers outside stores. Still, the Reagan recall drive came up 50 percent short of the needed signatures. The People's Lobby third petition drive finally succeeded, marking the first successful volunteer initiative campaign since 1938. The measure was opposed by the energy industry and the public rejected the trailblazing "Clean Environment Act" by a two-to-one margin. Koupal was also instrumental in helping to qualify the Political Reform Act (Proposition 9, 1974).

Many of People's Lobby's staff and circulators went on to join and start environment-advocacy groups which eventually did win the public's support. Among the inheritors of Koupal's legacy of progressive social action-advocacy are groups like California Public Interest Research Group (CALPIRG) and Campaign California. These organizations sustain themselves with membership drives in neighborhood canvasses, and with contributions from supporters and foundations.

But after Koupal's death in March 1976 People's Lobby was never again a major force in California politics despite his widow's valiant attempts to carry on his legacy. The organization, however, continued to train circulators. Joyce Koupal remembers one PL-trained retiree who "was obsessed with property tax reduction." That trainee was the late Howard Jarvis.

People's Lobby died, in part, because of the shifting political winds. Conservatives were becoming more dominant in statewide politics, and voters — as evidenced by Proposition 13 — were listening to a new group of citizen politicians.

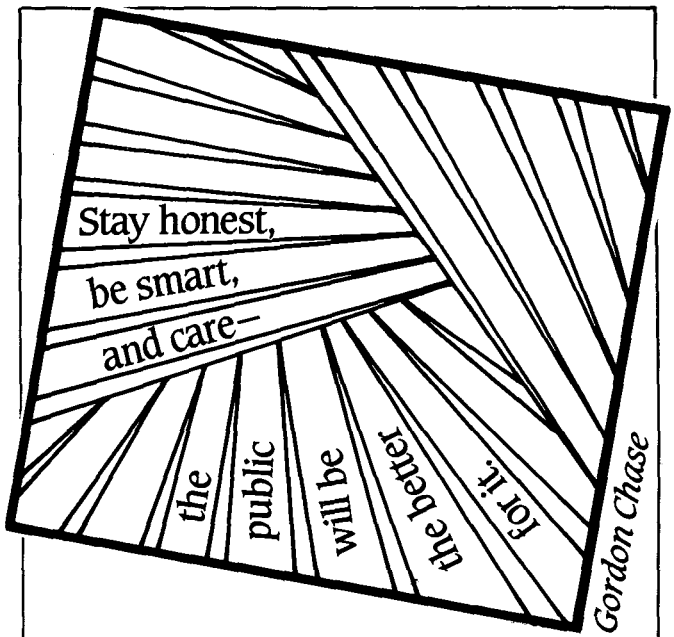
But there are some signs that the political winds may again be shifting, which could mean that groups such as the People's Advocate factions and the Howard Jarvis group may have to learn to survive without the wind at their backs.

There is some evidence the groups are aware of this. Paul Gann himself showed signs of softening his resistance to increasing state revenue to meet public needs. He made an agreement with Governor Deukmejian not to publicly oppose Deukmejian's proposed gasoline-tax increase to fund transportation needs. Fox teamed up, in Jarvis' name, to back still another gasoline tax increase measure. And Gann's son has admitted Proposition 13 may need revision to remedy the flaw of sharply higher property tax assessments for similar homes when they change owners. Four suits have been filed against the measure, although one has already been dismissed. The mid-October Bay Area earthquake's extensive property damage and needless loss of life has forced re-examination of the desirability of leaving public needs unmet for lack of adequate funding.

Meanwhile the Gann faction has moved into a new office and is working in support of an initiative measure that would change the state's redistricting process — a proposal supported by the League of Women Voters. The Costa faction has changed focus from an activist organization to an undefined issue study group with a board that, if anything, is more conservative than when it was controlled by Gann.

Both groups claim they are the rightful political descendants of Paul Gann. But the two factions may ultimately find they are competing for a diminishing legacy.

Advertisement



Marquart
Policy Analysis Associates

2216 "L" Street
Sacramento, CA 95816
916/443-3335

Advertisement

The Competitive Edge-

A degree in public administration, business, management or law from Golden Gate University

For the convenience of working adults, Golden Gate University offers:

- evening and weekend classes
- classes taught by accomplished scholars and top business professionals
- degree programs in many career fields leading to bachelor's, master's and law degrees
- convenient locations in Sacramento and the San Francisco Bay Area

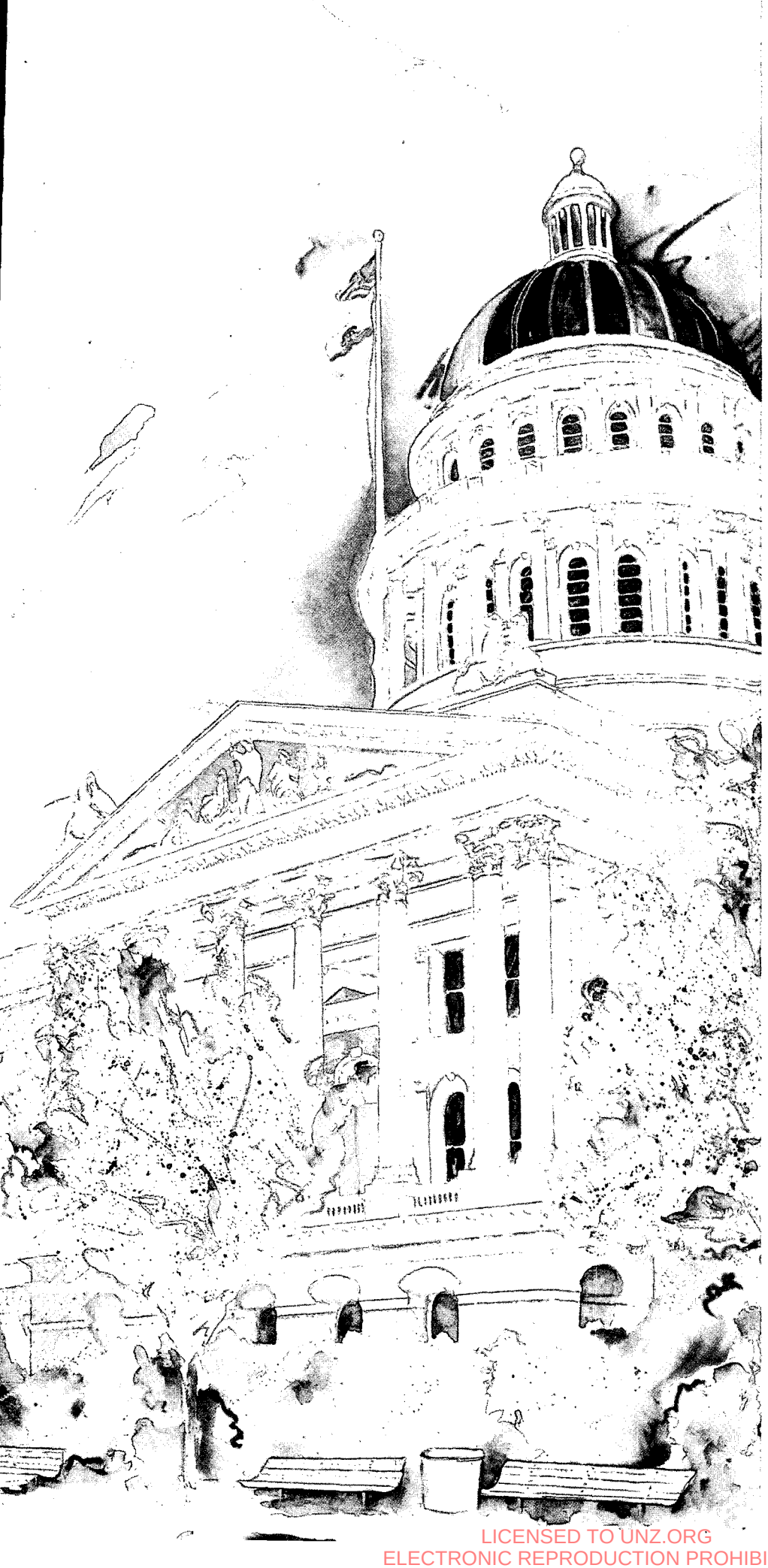
Sacramento 916/648-1446

Bay Area Locations 415/442-7800

GOLDEN GATE UNIVERSITY · FOUNDED IN 1901 ·

Golden Gate University, a private, nonprofit institution of higher education founded in San Francisco in 1901, is accredited by the Western Association of Schools and Colleges

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



California Journal

1990 ROSTER & GOVERNMENT GUIDE

Reprints:

California Journal's best-selling publication, the **Roster and Government Guide,** completely revised for 1990, is now available.

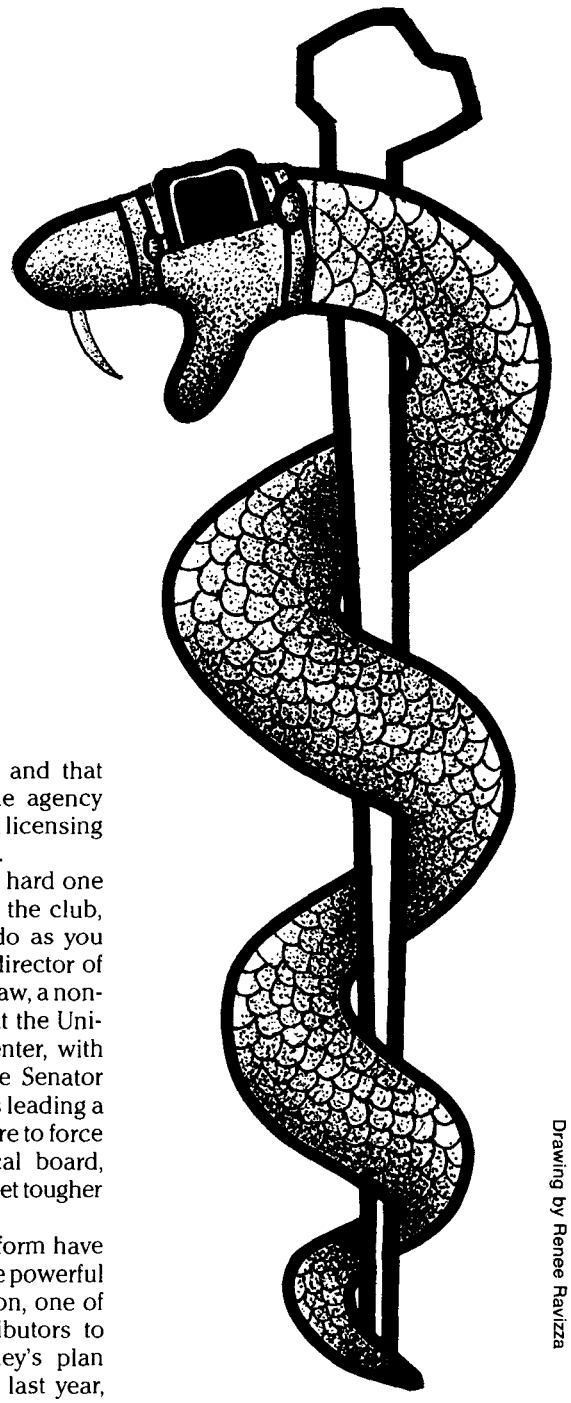
Additional copies of the **Roster** are available at the following rates: 100 or more copies, 48 cents each; 50-99 copies, 74 cents each; 3-49 copies, $1.24 each; 1 or 2 copies, $2.25 each. Please add 6.75% sales tax plus $2.50 shipping and handling to all orders.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Physician, heal thyself

Problems regulating doctors

By Teresa Simons



Drawing by Renee Ravizza

Dr. Georgia Goldfarb ultimately got her cherished license to practice medicine in California, but only after $20,000 in attorney fees, a two-and-a-half-year delay, a demand that she undergo psychiatric examination, and the filing of various charges against her for falsifying her application — none of which were substantiated. Her adversary: the state medical board, which nearly destroyed Goldfarb's career, citing concern over her foreign medical-school education. Today, Goldfarb's education and training have proven good enough to let her claim a prestigious pediatric fellowship at the University of Southern California Medical Center in Los Angeles.

Dr. Milos Klvana didn't lose his license for years, despite a litany of complaints about his shoddy medical work from colleagues and patients. The state medical board allowed him to practice right up to the day in 1986 that the Los Angeles District Attorney arrested him. Today, Klvana is in prison, having been convicted in December of second-degree medical murder in the deaths of eight infants and a fetus.

Cases such as these have appalled public-interest groups that have taken a closer look at the Medical Board of California (until recently called the Board of Medical Quality Assurance) and that are now trying to reform the agency charged with disciplining and licensing the state's 70,000 physicians.

The "doctor's club" is a hard one to enter, but "once you're in the club, you have a free license to do as you will," says Robert Fellmeth, director of the Center of Public Interest Law, a nonprofit public interest group at the University of San Diego. The center, with the help of Democratic state Senator Robert Presley of Riverside, is leading a vigorous fight in the Legislature to force the 19-member state medical board, which includes 12 doctors, to get tougher on the state's physicians.

But the proposals for reform have met fierce opposition from the powerful California Medical Association, one of the largest campaign contributors to legislative candidates. Presley's plan moved slowly in the Senate last year, and this year he has introduced a new, somewhat weakened version.

"It will be a very tough fight, but we'll get it," Presley says. "What we don't get, we'll come back with next year."

The medical board's own figures have sparked the call for reform. The system received nearly 6300 complaints about doctors during the fiscal year ending June 30, 1989, but revoked or suspended the licenses of only 37 doctors, many after other agencies had already acted against them. Another 25 doctors surrendered their licences.

In a study of fiscal 1988 figures, the Center for Public Interest Law found that only 12 physicians received any public discipline for incompetence. Yet hospital privileges for 249 physicians were suspended or revoked because of incompetence or drug impairment. And, 715 physicians and health-maintenance organizations were judged liable for malpractice or agreed to settlements of more than $30,000.

Only about 200 doctors were in the medical board's alcohol- and drug-diversion program. Yet some medical officials maintain thousands of the state's 70,000 physicians are too alcohol-im-

---

Teresa Simons is a Capitol correspondent for United Press International and a frequent contributor to California Journal.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

paired or too drug-impaired to practice medicine safely.

These numbers have stirred criticism that goes far beyond the Center for Public Interest Law. Consumer advocate Ralph Nader's Public Citizen group found last year that California's medical board was among the nation's 10 worst. The Little Hoover Commission, a state watchdog agency, found the board's oversight of state nursing homes "singularly inactive." A review by the Arthur Young auditing firm in 1986 also noted inconsistent enforcement and said the time it took to complete agency investigations was "substantially excessive ... Even serious allegations are pursued at a slow pace."

Now, the center's proposals to change the medical board are backed by Nader, Consumers Union and Health Access coalition, which includes more than 100 health and consumer groups. Even the medical board itself recognizes a need for change and supports many of the center's suggested reforms, particularly its call for a quicker adjudication process and for more license suspensions while cases are under investigation.

"The board agrees with a lot of it," says its staff director, Kenneth Wagstaff, adding that the agency has increased its number of actions against physicians in the past year and is considering several procedural changes to improve its investigations.

But the California Medical Association maintains that major changes in the system could be counterproductive, expecially Presley's effort to diminish doctors' roles in disciplining their peers. Presley and the center want administrative-law judges familiar with both medicine and the law to play a greater role in deciding cases of physician incompetence. They and other critics of the current system of doctors-reviewing-doctors say peer review makes the medical board a solicitous old-boys network more interested in rehabilitating doctors than in protecting patients.

But under amendments Presley was forced to accept in his bill, the CMA was successful in keeping the board's current peer-review committees intact, albeit with restricted authority. "Would you want someone who isn't a doctor evaluating who can treat you?" asks Jay Dee Michael, head lobbyist for the medical association. "I wouldn't."

Marjorie Swartz, who left the CMA's lobbying forces on March 1st of this year, also implored that the length and procedure of physician discipline cases not be altered.

"We don't think that's appropriate when you're dealing with a doctor's career. Just because someone drinks too much or committed a crime, you need to make sure there's a connection between the act and the ability to practice medicine," said Swartz, who now is a health consultant for the Assembly Ways and Means Committee.

Wagstaff says the medical board's decisions are criticized for being too strict just as often as they are for being too lenient. He certainly appears to be correct where the board's licensure of new doctors is concerned. But critics view the board's aggressiveness in that area as just another way that the board protects the exclusivity of the "doctors' club."

The medical board's licensing division, for instance, is the defendant in a lawsuit filed by several physicians who were delayed nearly two years in getting licensed in California after fleeing the Communist regime in South Vietnam. The students could not obtain from their native country the medical-school records normally necessary to obtain a physician's license in California. A long, frustrating fight ensued — one that wasn't resolved until state Senator Ed Royce (R-Anaheim), citing the "indifference" that the medical board has shown the Vietnamese, successfully pushed legislation in 1987 that set new procedures to license Vietnamese.

Dr. Sang Tran, one of the Vietnamese physicians now suing the medical board, says the way it treated him was as reprehensible as his treatment by the Communist regime from which he fled: "When the Communists came, they said, 'You belong to the former group' and ... they postpone the [medical] license, everything, for many years. Finally, I decide to leave my country because of that kind of feeling. Then when I came to the United States I got the same thing ... This mean I completely lose my identity the second time, the second time in my life."

Deputy Attorney General Paul Bishop, who is defending the medical board in the lawsuit, says, "I feel sorry for some of them, I really do, but what do you do? It's not the board that's doing something bad. It's their government [by not releasing their medical-school records]."

The complaints aren't limited to the Vietnamese. Other foreign students also have filed lawsuits against the state medical board, claiming they were unfairly denied medical licenses. One plaintiff sued in a state court after an administrative-law judge ruled that the denial of her license was "arbitrary and capricious." The judge noted that the board had granted a license to an acquaintance of one of its members even before that applicant had in hand the Mexican document indicating completion of his medical training. Despite this evidence, the medical board still didn't give her a license.

The board was perhaps at its most zealous in the case of Dr. Symon Rubinshteyn, a former chief surgeon at a district hospital in the Soviet Union who now resides in San Francisco and has been unsuccessful in getting a license to practice medicine in California. His attorney says he has numerous Soviet documents indicating he is well qualified to practice medicine here, but he was not able to retrieve his medical-school transcripts from the Soviet Union. Rubinshteyn's brother then sent him a medical-school transcript that turned out to be a fake.

Medical-board investigators often issue warrants ordering violators to surrender themselves, but in Rubinshteyn's case they went to his home to arrest him. Rubinshteyn says he was unloading groceries from his car at the time and thought he was being mugged, so he resisted the medical-board cops. His neighbors thought the same and called the police. Rubinshteyn ended up in the hospital with a fractured rib, his attorney says. Wagstaff, the medical-board director, calls it "a very unfortunate case" but says, "What happened was not their [his staff's] fault."

Medical-board officials say it is important to carefully screen applicants for a medical license, especially those from foreign medical schools that don't necessarily meet American Medical Association criteria. Various foreign medical graduates and physicians from other countries have submitted fake documents in trying to get licensed here, officials say.

Critics, however, charge that the board at times has gone to extremes to keep potential doctors out of the system. The Center for Public Interest Law charges that the board's practices have been highly discriminatory. Former California Common Cause director Walter Zelman, whose close friend Georgia Goldfarb was denied a medical license for more than two years, has called the medical board's treatment of practicing physicians and medical applicants "governmental scandal of high order ... the classic case of the regulators doing the dirty work of the regulated."

At any rate, critics say, the medical board should at least use some of the same vigor in investigating practicing

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

physicians tha it does in handling applicants for medical licensure. To this end, Presley an d the center have offered many of the same changes that the Legislature recently adopted to reform the State Bar's disciplinary system for lawyers.

"I think th at everyone at the Bar would say we're much happier with the results of the new disciplinary system," says Kevin Cul lane, who oversaw the disciplinary changes for the Bar's state Board of Gove nors. "It's real nice to have Dan Rather say you're a model agency for the entire nation."

Aside from controlling practicing physicians' participation in the discipline process, Presley and the center also want an easier procedure to get immediate suspension of medical licenses in particularly g ievous cases. They also want the medical board to be informed immediately of all criminal charges lodged against licensees. Plus, they want a vastly speeded adjudication process. Because o pressure from the doctors' lobby, Pres ey modified his legislation so that it would no longer require courts to report to the state medical board whenever a malpractice suit is filed against a doctor.

The medical association's primary opposition to th e plan now is focused on its call for more review by an administrative-law judge rather than by other doctors, and less opportunity for appeal in the court syste m. Presley's legislation would eliminate the right of a physician to pursue an ad ministrative writ in Superior Court, but would still allow other court appeals.

"We're not out here to protect bad doctors, but on the other hand that doesn't mean we go on witch hunts," says CMA's president, Dr. William Plested III. "We still want to have the same protections [for doctors] afforded every other citizen in the country."

But even Wagstaff, of the medical board, says the doctors have nothing to worry about. "Doctors get tons of due process," he says.

Fellmeth co ntends major changes are needed to reform a medical board that is still "mire d in an 'old-boys club' mentality." The current system is "embarrassingly solicitous of the profession and produces nothing," the Center for Public Interest Law complains in a report it issued, concluding that the medical board offers California consumers little protection from imcompetent doctors. "Q uite literally, its final output in [license] revocation makes it less of an effective remedy for public protection than does death [of incompetent doctors] from natural causes."

Advertisement

New from California Journal!

California's Budget Dance Issues and Process

By Richard Krolak

California's $50 billion budget is where the action is when it comes to programs and policy in the nation's largest state. Education, taxation, environmental protection, transportation, social services, local government support — you name it and the budget addresses it.

If you want to understand and influence the direction of these programs, the budget is the number one way to do it. But the process is complicated, often taking place behind closed doors and seems murky to the uninitiated.

Now comes *California's Budget Dance*, a 128-page book that clearly outlines the steps, the schedule, the players and the politics of the process. The secret's out now; anyone can be a force in the process and understand what's going on.

All this for only $7.95. To place your order call or write *California Journal*, 1714 Capitol Ave., Sacramento, CA 95814. 916/444-2840.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BALLOT FRONT

A roundup of statewide initiative proposals. All statutes require 372,178 valid signatures; constitutional amendments require 595,485. In parentheses is the deadline for sponsors to submit signatures to county clerks, and the issue of California Journal *that contains a full explanation of each measure. To qualify for the November 1990 ballot, sponsors are urged to submit petitions by March 23rd. The full texts of all initiatives may be obtained from the secretary of State's election's division, 1230 J Street, Sacramento CA 95814.*

New in circulation:

STATE ADMINISTERED AUTO INSURANCE. AUTO CLAIMS COURT — an initiative constitutional amendment, sponsored by Voter Revolt and its executive committee (including Proposition 103 sponsor Harvey Rosenfield), that would replace the current, private auto-insurance system with a state-administered program of basic auto insurance. The state system would kick in when the insurance commissioner determined that the average private premiums exceeded the rollback levels specified in Proposition 103, or the average number of uninsured vehicles exceeded 15 percent. The measure would also regulate attorney fees in vehicle accident cases, establish a non-jury auto-claims court to resolve claims up to $15,000 under the state program and establish a "Board of Consumer Representation." (July 9th)

PESTICIDE REGULATION — an initiative statute, sponsored by Joel Nelson of Visalia, Bob Vice of Fallbrook, and Leland Ruth and Dennis Merwin of Sacramento. The measure would expand the state program for monitoring pesticide residue in produce and processed foods. It mandates review of cancer-causing pesticides, establishes state training and information programs for pesticide users, creates new and modifies existing pesticide-related state advisory panels, creates a state-appointed advocate to coordinate pesticide policies and provides for state disposal of unregistered pesticides. Among other provisions, the measure would do away with industry fees for pesticide regulatory programs and restructure penalties and fines for violations. (July 13th)

CHILDREN'S SERVICES. APPROPRIATIONS. SURTAXES — an initiative constitutional amendment, sponsored by Bill Zimmerman of Santa Monica, that would create a Young Children's Rightstart Fund and establish a commission to administer it. The fund, which would be exempt from school funding priorities and tax and spending limits, would be allocated for children's health services (35 to 45 percent), child-care services (35 to 45 percent), child abuse and other programs (20 to 30 percent). The fund would get its revenue from an additional 2.5 percent tax imposed on individual taxpayers with adjusted gross incomes above $200,000, and an additional 3 percent tax on those with adjusted gross incomes above $400,000, beginning with the 1990 tax year. (July 23rd)

TIMBER HARVESTING. FORESTRY PROGRAM. BOND ACT — an initiative statute, sponsored by Wesley Higbie of the Timber Association of California in San Mateo, that authorizes issuance of $300 million in general obligation bonds to fund a program for loans and grants, subject to legislative approval, to certain timberland owners, public entities and others for forest and park restoration and urban forestry projects. It requires that private timberlands exceeding 5000 acres have state-approved timber and wildlife management plans. (July 23rd)

FORESTRY PROGRAM. TIMBER HARVESTING. BOND ACT — an initiative statute, sponsored by George Craig of Oakland, that would authorize $300 million in general obligation bonds to support a loan/grant program. It would limit timber-cutting practices and require state-approved timber and wildlife management plans on timberlands exceeding 5000 acres. (July 23rd)

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT — an initiative statute, sponsored by Thomas Lippe of San Francisco, that would authorize issuance of $742 million in general obligation bonds to fund a 10-year state-acquisition program and impose a limited logging moratorium to permit public purchase of designated ancient forests. The measure would require state-funded compensation, a retraining program for loggers displaced by new regulations, wildlife surveys and mitigation measures. Among other provisions, the measure also limits timber-cutting practices, logging sites and burning of forest residues. (July 26th)

PRESIDENTIAL PRIMARY — an initiative statute, sponsored by Democratic Assemblyman Mike Roos of Los Angeles, that would require the California Presidential Primary be held on the first Tuesday in March in any year which is evenly divisible by four. The state's direct primary would be held on the first Tuesday in June in other even-numbered years. (July 30th)

Continuing in circulation:

LEGISLATIVE DISTRICTS — an initiative constitutional amendment, sponsored by C.T. Weber of San Diego. (April 6th, December 1989 *CJ*).

NATURAL ENVIRONMENT. PUBLIC HEALTH. BONDS — an initiative statute sponsored by Attorney General John Van de Kamp, Democratic Assemblymen Lloyd Connelly of Sacramento and Tom Hayden of Santa Monica, Albert Meyerhoff of the National Resource Defense Council in San Francisco, Michael Piker of Sacramento, Carl Pope of Berkeley and Bob Mulholland of Chico. (April 27th, February 1990 *CJ*)

CRIMES. TAXATION. BONDS — an initiative constitutional amendment, sponsored by Attorney General John Van de Kamp. (April 30th, February 1990 *CJ*)

GOVERNMENT OFFICIALS. ETHICS. CAMPAIGN FINANCING — an initiative constitutional amendment and statute sponsored by Attorney General John Van de Kamp, John Phillips of Los Angeles and Mayor Tom McEnery of San Jose. (May 7th, February 1990 *CJ*)

MARINE RESOURCES — an initiative constitutional amendment sponsored by GOP Assemblywoman Doris Allen of Cypress. (May 7th, February 1990 *CJ*)

STATE AND LOCAL TAXES — an initiative constitutional amendment, sponsored by Boris Isaacson of North Hollywood. (May 10th, March 1990 *CJ*)

OWNERSHIP OF FIREARMS — an initiative constitutional amendment sponsored by Bernadine Smith and Gerald Hunt of Hanford. (May 11th, February 1990 *CJ*)

STARVATION — an initiative statute sponsored by Eleanor George of San Diego. (May 14th, February 1990 *CJ*)

TRANSPORTATION — an initiative constitutional amendment sponsored by Craig Hendrickson, Christopher Huntington, James Kendricks and Anthony Hedayat of Los Angeles; by Jeffrey Sceranck and Jeffrey Young of Rancho Cucamonga; and by Graham Kaye-Eddie of Bakersfield. (May 14th, February 1990 *CJ*)

CANDIDATES. CAMPAIGN FINANCES. GIFTS — an initiative statute sponsored by Gareth Neumann of Glendale. (May 14th,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

February 1990 *CJ*)

DRUG ENFORCEMENT AND PREVENTION. TAXES. PRISON TERMS — an initiative statute sponsored by Lieutenant Governor Leo McCarthy. (May 17th, February 1990 *CJ*)

REAPPORTIONMENT BY COMPUTER FORMULA — an initiative constitutional amendment sponsored by Ken Gow of Whittier. (May 21st, February 1990 *CJ*)

ALCOHOL SURTAX FUND — an initiative constitutional amendment sponsored by Andrew McGuire of Sacramento. (May 25th, February 1990 *CJ*)

GAMING COMMISSION. SPORTS WAGERING — an initiative constitutional amendment and statute sponsored by Democratic Assemblyman Richard Floyd of Gardena. (May 29th, February 1990 *CJ*)

FOREST PROTECTION. TIMBER HARVESTING. BOND ACT — an initiative statute sponsored by Robert Bennett Sutherland of Redway and Cecelia Lanman of Arcata and supported by Forests Forever of Ukiah. (May 29th, February 1990 *CJ*)

HEALTH CARE COVERAGE — an initiative constitutional amendment sponsored by the chairman of California 2000, Michael Weinstein of Los Angeles. (June 11th, March 1990 *CJ*)

TERMS OF OFFICE. PUBLIC OFFICERS RETIREMENT. RESIGNATIONS -- an initiative constitutional amendment, sponsored by William Sullivan of San Ramon, Judi Haderer of San Bruno, and Tom Metzger of Yolo. (June 18th, March 1990 *CJ*)

TERMS OF OFFICE. PUBLIC OFFICERS RETIREMENT. RESIGNATIONS. MISUSE OF PUBLIC FUNDS — an initiative constitutional amendment, sponsored by Lee Phelps of Aptos. (June 18th, March 1990 *CJ*)

TERMS OF OFFICE. LEGISLATORS' RETIREMENT. LEGISLATIVE OPERATING COSTS — an initiative constitutional amendment sponsored by Los Angeles County Supervisor Pete Schabarum, and by J.G. Ford Jr. and Lewis Uhler of Loomis. (June 18th, March 1990 *CJ*)

TIMBERLAND ACQUISITION. BOND ACT — an initiative statute, sponsored by Patrick Shannon of Willow Creek. (June 18th, March 1990 *CJ*)

PRISON INMATE LABOR. TAX CREDIT — an initiative constitutional amendment and statute, sponsored by Governor George Deukmejian. (June 21st, March 1990 *CJ*)

HOUSE OF COMMONS — an initiative constitutional amendment, sponsored by Eric Jacobson of Los Angeles. (June 21st, March 1990 *CJ*)

COMMISSION ON CIVILIAN ECONOMY. APPROPRIATION. TAX DEDUCTION — an initiative statute, sponsored by Lila Garrett, Suzanne Marks and Ronald DiNicola of Los Angeles. (June 21st, March 1990 *CJ*)

CRIMINALIZED DRUG LAWS — an initiative statute, sponsored by Thomas Neece of Redwood Valley. (June 29th, March 1990 *CJ*)

MARIJUANA — an initiative statute, sponsored by Thomas Neece of Redwood Valley. (June 29th, March 1990 *CJ*)

REAPPORTIONMENT BY LEGISLATURE; SUPREME COURT. JUDICIAL REVIEW — an initiative statute and constitutional amendment, sponsored by Wade Bruce Lee II of Sacramento. (July 2nd, March 1990 *CJ*)

REAPPORTIONMENT BY LEGISLATURE; SUPREME COURT. JUDICIAL REVIEW — an initiative constitutional amendment, sponsored by Richard Noble of Los Angeles. (July 2nd, March 1990 *CJ*)

INITIATIVE AND REFERENDUM PROCESS — an initiative constitutional amendment, sponsored by Joel Fox of the Howard Jarvis Taxpayers Association in Granada Hills. (July 9th, March 1990 *CJ*)

STATE, LOCAL TAXATION — an initiative constitutional amendment, sponsored by Richard Gann of Folsom and by Joel Fox of the Howard Jarvis Taxpayers Association in Granada Hills. (July 9th, March 1990 *CJ*)

Failed to qualify:

LEGISLATIVE TERM LIMITS — an initiative constitutional amendment, sponsored by John MacDonald of Santa Rosa and Gerald Partain of Bayside. (February 13th, October 1989 *CJ*)

HUMAN LIFE — an initiative constitutional amendment, sponsored by Andrew Eppink of Palmdale. (February 16th, November 1989 *CJ*)

Source: Secretary of State

Advertisement

California Journal
SEMINARS

Legislative process
State budget process
Rule-making process
Bill tracking and analysis
Committee procedure and the art of testifying
Issues management
State contract process
Advocacy — how to win

ALL NEW:
DEMYSTIFYING the STATE BUREAUCRACY
and
LAW-MAKING at the FEDERAL LEVEL ...
a close look at congressional procedure and protocol

2497 PEOPLE
have taken advantage of our seminar program.

That's a lot of advantage ... for *them.*

California Journal's Institute For Policy Review conducts seminars and workshops on these and other subjects several times each month in various locations throughout California. For SCHEDULE INFORMATION or to be placed on our mailing list, contact **ROD TUTTLE** at 916/444-2840.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WASHINGTON PERSPECTIVE

By LARRY LIEBERT

Bush and Wilson

For months, Republican Party leaders in Washington have insisted they have no greater priority in 1990 than electing Pete Wilson as California's governor. If so, they've sometimes had a funny way of showing it.

LATE LAST YEAR SENATOR WILSON found, to his amazement, that he was on the black list of vindictive White House Chief of Staff John Sununu. The former New Hampshire governor was angry that Wilson failed to back the president in a Senate vote on a controversial deal with Japan for joint production of the FSX fighter jet. To get even, Sununu made sure that Bush kept putting off promised fund-raising trips to California for his buddy Wilson. This was the last straw for some California Republicans, who had been stewing for months that the Bush administration seemed unable to remember that California was the largest state in the union.

Bush, of Houston and Kennebunkport, has never seemed particularly in tune with the peculiar rhythms of California politics and culture. Nor has he spent much time in the state.

When he sought the Republican presidential nomination in 1980, Bush wisely gave up before what would have been a divisive California primary against the eventual nominee, the state's former Governor Ronald Reagan. In 1988 Bush barely edged out Democrat Michael Dukakis in California while humiliating him elsewhere.

Nor has California fared all that well since Bush became president. Among other real and imagined slights, the state has been poorly represented in appointments to major posts in the Texas-accented administration. Californians felt they lacked an advocate in the White House ever since Bush picked Sununu as his top aide, passing over Craig Fuller, the former Californian who was Bush's vice presidential chief of staff. (This column reported on that concern back in January 1989.)

What goes around comes around, as some sage once put it. Eager to placate fuming Californians, the Republican National Committee went out in February and hired a $4000-a-month consultant just to serve as its adviser on the mysteries of the Golden State. Their choice: the same Craig Fuller.

"I sort of see the assignment as being part listening post in California when I'm there, which is at least a few days every month," Fuller told me in a recent interview. "And a lot of it is to make sure the concerns of California get transmitted back here."

Fuller, 39, was born in Pasadena, went to high school in Walnut Creek and college at UCLA and Occidental. An alumnus of the Reaganite public-relations firm of Deaver & Hannaford, he worked politically over the years for Reagan and Wilson before hooking up with Bush.

Fuller, who is now president of a well-connected Washington lobbying firm, says he has no hard feelings over Bush's surprise decision to pick Sununu to run the day-to-day business of the White House. "I enjoy what I'm doing," said Fuller, who turned down offers of other jobs in the administration. "I think the president likes having a chief of staff who comes from outside Washington, who isn't as caught up [in its intrigues] as a lot of people are."

Expanding on his new task as the Republicans' official California expert, Fuller said, "There was a perception that there was some strain between the Wilson camp and the White House. I thought that did not serve the president well and did not serve Pete Wilson well. I was asked to step in and provide some advice and counsel on what was happening in California that would affect this all-important gubernatorial race."

When Bush finally scheduled a political trip to California in February, Fuller arranged a series of private meetings for Sununu with Republican business leaders and Wilson strategists.

"We've moved far away from this pricklishness," Fuller said. A key part of the effort was presenting Sununu with opinion polls that demonstrated Wilson is very much in step with his state on issues such as abortion and offshore oil drilling.

"Pete Wilson has hard views on a number of subjects, some in contrast to the president's views," Fuller said. "But people better understand Pete's views when they understand he represents California voters."

In particular, Fuller said, Wilson reflects "the depth of concerns on environmental questions." That may have come as a particular revelation to Sununu.

ALTHOUGH BUSH PROMISED IN HIS CAMPAIGN for the White House that he would be "the environmental president," Sununu never promised to serve as an environmentalist chief of staff. On the contrary, Sununu has intervened to weaken the administration's positions on clean-air legislation, protecting wetlands and combating the greenhouse effect.

Like Reagan and lame-duck California Governor George Deukmejian, Sununu belongs to the conservative camp that views the environmental movement as an enemy of capitalism and a bastion of left-leaning zealots. This stereotype does not hold very well in California, where concern over environmental and "quality of life" issues runs almost as strong in conservative, Republican Orange County as it does in liberal, Democratic San Francisco.

Larry Liebert is Washington Bureau Chief of the San Francisco Chronicle.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"Our ability to save struggling newborns with an ECMO Unit makes Lubbock one of the healthiest medical communities in the nation."

Jane Goldthorn, M.D.
Pediatric Surgeon

Extracorporeal Membrane Oxygenation (ECMO) is a life-support procedure available to infants with critical respiratory problems. Very simply, the blood is circulated through an artificial heart/lung device, giving the child's lungs a chance to rest, heal and develop.

Of the 62 ECMO Units in the U.S., four are in Texas. And one of those is in Lubbock.

One of the truly amazing things about Lubbock, Texas has always been the quality of its health care. Few cities this size can boast a medical community of eight hospitals and 1,915 beds, a medical school, more than 500 physicians, 9000+ employees, an annual payroll in excess of $112 million and cutting-edge technology like the ECMO Unit.

Consequently, Lubbock has developed a healthy business environment for medical equipment distributors, research labs, manufacturers and more. When you add low-priced land and labor and Lubbock's central Sunbelt location, you have a real prescription for success.

For more information, contact the Lubbock Board of City Development today.

LUBBOCK
LOOK. LISTEN. LUBBOCK. NOW.

LUBBOCK
Board of
City Development

2005 Broadway, P. O. Box 5948
Lubbock, Texas 79417
806-744-0743
FAX (806) 744-0792

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It's time to stand and deliver for all our children's future.

We, at ARCO, have always taken a stand when it comes to education.

Since 1983, we've stood behind Jaime Escalante and his calculus program at Garfield High School in East Los Angeles.

We helped fund the award winning movie "Stand and Deliver", inspired by Jaime, his students and the obstacles they overcame.

For years, ARCO has been a major supporter of educational programs aimed at kids from every economic and ethnic background.

So, join us as we continue to stand and deliver for the education of our children.

America's most valuable natural resource.

ARCO
The high energy company.

Lod Cook
CEO, ARCO

Jaime Escalante
Garfield High School

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED